

**The Cliffords, Earls of Cumberland, 1579-1646:  
a study of their fortunes based on their  
household and estate accounts.**

**by**

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### Abstract

This study traces the fortunes of the Cliffords under the last three Earls. Raised to the peerage in 1299 and created Earls in 1525, the Cliffords built up estates in Yorkshire and Westmorland until they became one of the wealthiest noble families.

This wealth was dissipated by the 3rd Earl. Drawn into heavy expenditure by extravagant living and, in particular, a passion for privateering, the Earl incurred large debts. He reduced them by raising money from his estates, which suffered accordingly; yet many debts were unpaid at his death. Debts and impaired estates were the 3rd Earl's legacy to his successor. In contrast, many creditors, mainly of the gentry class, had profited by lending the Earl money at interest.

During the 4th Earl's tenure, the Cliffords' fortunes recovered briefly but then steadily deteriorated. Until 1617 his tenure of the estates was uncertain for the 3rd Earl's daughter, Lady Anne Clifford, disputed his right to the inheritance. His income, though sustained for twenty years by the profits of a cloth licence granted the 3rd Earl in 1601, could not pay all the 3rd Earl's debts nor big new debts incurred in raising the portion awarded Lady Anne at the settlement of the inheritance dispute. The Cliffords' financial

difficulties and the depreciation of the estates which accompanied them continued until the Civil War.

When the 5th Earl died in 1643, the Cliffords' wealth and standing were much diminished. Their tenants, however, had benefited for, because of the Cliffords' need of cash, many had been able to purchase their holdings and with them their independence. With the 5th Earl's death, the male line became extinct and the estates were divided between his daughter, Elizabeth Countess of Cork, and Lady Anne Clifford.

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Table of Abbreviations

Add.	= Additional Manuscript.
<u>A.P.C.</u>	= <u>Acts of the Privy Council.</u>
B.M.	= British Museum.
<u>Cal. S.P. Dom.</u>	= <u>Calendar of State Papers, Domestic Series.</u>
<u>Cal. S.P. Dom. Add.</u>	= <u>Calendar of State Papers, Domestic Series, Addenda.</u>
<u>D.N.B.</u>	= <u>Dictionary of National Biography.</u>
<u>E.H.R.</u>	= <u>English Historical Review.</u>
<u>Ec.H.R.</u>	= <u>Economic History Review.</u>
Harl.	= Harleian Manuscript.
H.M.C.	= Historical Manuscripts Commission.
Lansd.	= Lansdowne Manuscript.
<u>L. &amp; P.</u>	= <u>Letters and Papers.</u>
P.R.O.	= Public Record Office.
<u>Tr. R.H.S.</u>	= <u>Transactions of the Royal Historical Society.</u>
<u>V.C.H.</u>	= <u>Victoria History of the Counties of England.</u>
<u>Y.A.J.</u>	= <u>Yorkshire Archaeological Journal.</u>

Short Titles

- Andrews : K.R. Andrews, The Economic Aspects of Elizabethan Privateering. Ph.D. London thesis, 1951.
- Dawson : W.H. Dawson, History of Skipton, (1882).
- G.E.C. : G.E.C./Okayne/, The Complete Peerage of England, Scotland, Ireland &c., extant, extinct, or dormant. 13 vols. in progress (1910- ).
- Yorkshire Fines, Stuart : Yorkshire Fines for the Stuart Period, 1603 - 1625, 2 vols. Ed. W. Brigg, (Yorkshire Archaeological Society, Record Series, vols. Liii, Lviii, Leeds, 1915 and 1917).
- Yorkshire Fines, Tudor : Feet of Fines of the Tudor period, 1486-1603, 4 vols. (Yorkshire Archaeological and Topographical Association, Record Series, vols II, V, VII, VIII, Worksop, 1887 - 1890).
- Whitaker : T.D. Whitaker, The History and Antiquities of the Deanery of Craven in the County of York, 3rd Edn., Ed. A.W. Morant, (Leeds and London, 1878).
- Williamson : G.C. Williamson, George, Third Earl of Cumberland, (1558 - 1605). His Life and Voyages, (Cambridge, 1920).

Acknowledgments

I have pleasure in acknowledging here my indebtedness to his Grace the Duke of Devonshire for allowing me to use the Bolton and Londesborough MSS. at Chatsworth; to the Lord Hothfield for allowing me to use the Skipton and Appleby MSS; to the Earl Spencer for allowing me to examine his collections at Althorp and transcribe the documents I required, and to Captain Stephen Tempest for showing me his family papers at Broughton Hall.

I wish also to thank Mr. T.S. Wragg, M.B.E., Keeper of the Devonshire Collections at Chatsworth, and Captain C.E. Fordyce, the Estate Agent at Skipton Castle, for their help and consideration on my visits to Chatsworth and Skipton.

## Introduction

### 1. Scope of the Study

The Cliffords were Earls of Cumberland for four generations, from the creation of the 1st Earl in 1525 to the death of the 5th Earl in 1643. This study is concerned with the fortunes of the Cliffords during the active tenure of the last three Earls, though the earlier history of the Cliffords as nobility has been briefly traced in the first chapter. The period covered, 1579 to 1646, has been determined partly by the material available for such a study and partly by the knowledge that the 3rd Earl's career had a profound effect on the fortunes of the family which until that time had prospered.

It has long been known that the last phase of the Cliffords' tenure of the titles and estates, before the extinction of the male line in 1643, was disturbed by problems, notably financial difficulties and an inheritance dispute, which were the result of the 3rd Earl's activities. The 3rd Earl, a famous courtier and amateur privateer, was the most distinguished of the Earls of Cumberland. Dr. Whitaker, who made full use of the family archives in preparing his massive History of Craven, wrote of him: "If we trace him in the public history of his times, we see nothing but the accomplished courtier, the skilful navigator, the intrepid commander, the disinterested patriot. If we follow him into his family, we are instantly struck with the indifferent

and unfaithful husband, the negligent and thoughtless parent. If we enter his muniment-room, we are surrounded by memorials of prodigality, mortgages and sales, inquietude, and approaching want. He set out with a larger estate than any of his ancestors,<sup>1</sup> and in little more than twenty years he made it one of the least".

The 3rd Earl's biographer, G.C. Williamson, was chiefly interested in his privateering voyages. On the Earl's career in general he stated; "Much of course remains unwritten. Of much of his life nothing is known at all ..... We would gladly know more of his life at Court, of the time he spent on his northern estate and of what he did when there".<sup>2</sup> The exact causes of the difficulties experienced by the 3rd Earl and his successors, their nature and extent and their effect have thus not been apparent from the evidence hitherto available. The main aim of this study is, therefore, the elucidation of the fortunes of the Cliffords during the last, interesting and uncertain phase in their history.

The first six chapters of the study are devoted to the 3rd Earl's career and the remaining chapters deal with the 4th and 5th Earls' tenure of the inheritance. 1579 was chosen as the earlier limit of the study mainly because the 3rd Earl came of age and entered his estates in that year and thus became

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1. T.D. Whitaker, The History and Antiquities of the Deanery of Craven in the County of York, 3rd Edn., Ed. A.W. Morant, (Leeds and London, 1878), 354.
  2. G.C. Williamson, George, Third Earl of Cumberland, (1558-1605)-His Life and Voyages, (Cambridge, 1920), xii.

responsible for the Clifford inheritance, although he had succeeded to the title nine years previously. The later limit of 1646 was chosen because of the series of important surveys and valuations of the main Clifford estates in Yorkshire made then following the sequestration by the Commonwealth authorities of the greater part of the 5th Earl's property. It is thus more convenient to end the study in 1646 than at the death of the 5th Earl in 1643.

The general content of the chapters will be clear from the table of contents. Three chapters, however, require special comment for each to some extent falls outside the scope of the study. The 3rd Earl's privateering career, which is dealt with in Chapter II, has already been described fully by G.C. Williamson. In Chapter II, therefore, the aim has been to set out the essential outline of the Earl's privateering and place in their appropriate context many of the Earl's letters, which Williamson failed to do, so as to give a more complete picture of the Earl's activities and to emphasise the distinct phases in his career. Such evidence as is available of the financial side of the Earl's privateering has been added to the literary sources. More is said on this point at the beginning of Chapter II.

In the course of his career the 3rd Earl borrowed large sums on many occasions. The survey of the Earl's major creditors, which is the subject of Chapter III, is an indication of the associations that a typical member of the higher nobility



could form with a variety of creditors towards the close of the sixteenth century.

The Cliffords' possession of a licence to export undressed cloths identified them closely with the greatest of English trading companies, the Merchant Adventurers, and the most important monopoly, the export of undressed cloths, created by the Tudors. Although the Merchants' Company and the cloth trade have been exhaustively examined, the position of the joint licensees has been neglected. The discussion of the Cliffords' tenure of the cloth licence in Chapter IX is, therefore, a contribution to the general history of both the Merchants' Company and the cloth trade in the early Stuart period. The figures of cloth exports for most years of the Cliffords' tenure, a particularly interesting period for which figures have not hitherto been available, have been analysed from the Cliffords' accounts and can be found in Appendix II. The Cliffords' income from the licence is described in section 11 of Chapter IX and its value there and in Chapters X and XII.

A description of the fortunes of a noble family is of interest in itself because of the limited detailed knowledge of the Tudor and Stuart peerage in general and of individual noble houses in particular. Recently, however, historians have given special attention to the fortunes of the aristocracy during this time of great social and economic change. In the controversy that has arisen, the Cliffords have already featured. Mr. L. Stone, following Dr. Whitaker, has emphasised the

profligacy and indebtedness of the 3rd Earl in support of his views on the changing fortunes of the aristocracy.<sup>1</sup> Mr. H.R. Trevor-Roper, in contrast, has tended to minimise the supposed effects of the Earl's indebtedness on the family fortunes and estates.<sup>2</sup> There now is, as G.R. Batho has stated,<sup>3</sup> a need for detailed studies of individual peers in order to advance the inquiry to its second stage. It is hoped that this study, by revealing the change in the fortunes of one of the leading members of the Elizabethan aristocracy, will contribute to the further discussion of this important question.

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1. L. Stone, "The Anatomy of the Elizabethan Aristocracy", Ec.H.R., xviii, (1948), 9,17,19,47; and "The Elizabethan Aristocracy - A Restatement", Ec.H.R., 2nd ser., iv, (1952), 306.
  2. H.R. Trevor-Roper, "The Elizabethan Aristocracy: an Anatomy Anatomized", Ec.H.R., 2nd ser., iii, (1951), 293.
  3. G.R. Batho, "The Finances of an Elizabethan Nobleman: Henry Percy, Ninth Earl of Northumberland (1564-1632)", Ec.H.R., 2nd ser., ix (1956), 433.

### 11. Sources Used

The main sources for this study are the Clifford family papers. Since Whitaker wrote, in 1812, it is clear that many of the papers have, unfortunately, disappeared. Few have survived for the years prior to 1579, when this study begins. A larger quantity is available for the years 1579 to 1602, letters for the most part but also some estate and miscellaneous documents. After 1602, however, there are a great many, including household and estate accounts and other valuable records.

This material has been supplemented by public records. Apart from the State Papers, the main manuscript sources used are the Patent Rolls, the Close Rolls, Feet of Fines and the Lord Chamberlain's statutes. These records are of particular value for the 3rd Earl's career prior to 1602, which is the subject of the first three chapters, because of the limited material available in the Cliffords' archives for that period. They have been described below in the Note on Public Records.

The Clifford papers were separated when the Clifford<sup>1</sup> estates were divided on the death of the 5th Earl in 1643. Skipton and Appleby Castles with the estate documents for the Craven and Westmorland estates passed to Lady Anne Clifford, Countess of Dorset and Pembroke, daughter of the 3rd Earl; Bolton Abbey and Londesborough House to the 5th Earl's daughter,

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1. See infra, p. 329.

Elizabeth, wife of Richard 2nd Earl of Cork.

The estate documents for Westmorland are still at Appleby Castle, which is now owned by Lord Hothfield.<sup>1</sup> The Craven estate papers were at Skipton Castle until May 1956, when Lord Hothfield sold the Castle and donated the MSS. to the Yorkshire Archaeological Society. They now form part of the Society's muniments at Leeds.

The Clifford papers formerly at Bolton Abbey and Londesborough are now permanently deposited at Chatsworth in the Duke of Devonshire's collection.<sup>2</sup> The Bolton (Abbey) MSS. include most of the Cliffords' household accounts that are extant. The Londesborough MSS. consist of a large number of miscellaneous documents relating to all aspects of the Cliffords' affairs and include some household accounts. Although most of the estate documents are to be found in the Skipton and Appleby MSS., there is a limited but important amount of estate material in both the Bolton MSS. and the Londesborough MSS. The Skipton MSS., likewise, include some household books.

The private, official and household letters of the Cliffords are at Appleby, Chatsworth and amongst the Cumberland papers in Earl Spencer's MSS. at Althorp. The Burlington papers at Althorp also include a small number of letters and

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1. H.M.C. Eleventh Report, Appendix, pt.vii (1888), 81-90.
  2. H.M.C. Third Report, (1872), Appendix, 36-41.

other documents of the Cliffords, mainly concerning the 5th Earl and his daughter the Countess of Cork.<sup>1</sup> T.D. Whitaker published in full in his History of Craven many of the letters now at Appleby and Chatsworth, and others which are not now extant.

Although all the Clifford papers are now adequately stored and accessible, only the Bolton MSS. at Chatsworth and the MSS. at Althorp have been thoroughly sorted and catalogued. The Bolton MSS. consist of the Books of Household and Estate Accounts, of which there are 355 covering the period 1510 to 1818, and the Sundry Papers. The Books include besides accounts some estate surveys, and the Sundry Papers, though mainly miscellaneous papers and letters, include some household accounts and estate material. More estate documents were transferred to Chatsworth in 1955 from the Bolton Abbey estate office. Since these were examined when they were at the estate office, they are described in the Bibliography as Bolton Abbey MSS. and references are to the MSS. as they are numbered in the catalogue which was kept in the estate office.

The Londesborough MSS. at Chatsworth are awaiting cataloguing, but as yet have not been sorted. Mr. Wragg, however, kindly allowed them to be examined and those MSS. required for this study were transcribed. The MSS. that are

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1. H.M.C. Second Report, (1874), Appendix, 12-20.

referred to have been listed in the Bibliography. In order to make reference both easy and accurate, they have been listed according to the type of document, with the letters A,D,E and M signifying the four types - the Accounts, the papers relating to Debts, the Estate material and Miscellaneous papers - and the documents in each of these four groups have been separately numbered. The method of reference, for example, for the first document listed under Accounts is: Londesborough MS. A/1; for the fifth under Estates, Londesborough MS. E/5.

The large collection of Skipton MSS., formerly in the evidence room at the Castle, contains all types of estate records, in particular court rolls, rentals, surveys, books of grants, leases, and bailiffs accounts, mainly from the sixteenth century to the early twentieth century. The documents have been sorted into bundles according to the various types and the bundles numbered, listed and described in a catalogue. The description of the bundles indicates their general contents, but not the individual documents. The Skipton MSS. referred to have therefore been listed in the Bibliography. The method of reference is based on the catalogue. The Press mark and the Bundle number given in the catalogue have been adopted (but not the shelf number, which is now of no help) and the individual MSS. in each Bundle have been numbered. The full reference of, for example, the 1579 Book of Dimissions is

Skipton MS. Press A, Bundle 24, no.1; or, in its shortened form, Skipton A/24/1. The only Skipton document not referred to in this way is the Estate Ledger for Craven, in which the details of 429 leases granted between 1602 and 1606 are entered. The Ledger is referred to, as in the catalogue, by name only. The Yorkshire Archaeological Society does not intend to alter the way in which the Skipton MSS. are now sorted and catalogued.

The MSS. at Appleby Castle are of three kinds: the letters, the three large Books of Records compiled for Lady Anne Clifford, and the estate and other material in the evidence room. The letters at Appleby have been quoted in full by G.C. Williamson in his biographies of the 3rd Earl and his daughter Lady Anne.<sup>1</sup> All references to these letters made in the text are to the place and the form in which Williamson has published them. Lady Anne's Books of Record contain the entries of a great many documents relating to the Clifford family from the thirteenth to the seventeenth centuries.<sup>2</sup> The third Book concerns the Earls of Cumberland. It is referred to as Appleby MS. Book III. The pagination is contemporary. For the MSS. in the evidence room at Appleby, the method adopted is similar to that for the Skipton MSS. The MSS. have been described and numbered in the

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1. G.C. Williamson, Lady Anne Clifford Countess of Dorset, Pembroke & Montgomery, 1590-1676. Her Life, Letters and Work, (Kendal, 1922).
  2. See H.M.C. Eleventh Report, App. pt.vii, 86.

Bibliography and the catalogue used as the basis for detailed reference. Since only the documents in Case D, Shelf 1 and in the Box have been cited in the text, the problem of identification of the Appleby MSS. has been greatly simplified.

Three other collections of MSS. have been examined. These are the Tempest MSS. in the possession of Captain Stephen Tempest of Broughton Hall, near Skipton; the Ferrand MSS., which are now in the possession of the City of Bradford Corporation and deposited at Cartwright Hall, Bradford; and the Salisbury MSS. The Salisbury papers which have been used and referred to are transcripts of the so far unpublished Salisbury MSS. which are being prepared for publication at the Public Record Office. They are described as P.R.O. Salisbury MSS. to distinguish them from the original MSS. at Hatfield.

### 111. Note on Public Records.

The public records principally used in this study fall within the categories of Transactions in Land and Obligations. The sources for land transactions are the Patent Rolls, Feet of Fines and the Indentures entered in the Close Rolls. They will be described briefly in order to indicate both their usefulness as sources and their use in this study.

Obligations are a class of document which has hitherto been largely neglected. They included a variety of legal forms and their purpose was multifarious. It is not surprising,



therefore, that the interpretation of one type of recorded obligation, the Lord Chamberlain's statutes, has recently been a cause of controversy. It has been necessary for this study, and particularly for Chapters II and III, to establish the exact meaning of the different forms of obligation in which the Cliffords were concerned. In consequence, obligations will be discussed in greater detail, with the intention of explaining the different forms and their usage in the hope that the outline which here is only possible will be a guide to further investigation. Most of the examples will be drawn from obligations into which the Cliffords entered.

#### A. Transactions in Land<sup>1</sup>

##### 1. Patent Rolls.

The Patent Rolls are useful for land transactions because of the entries of Licences of Alienation. These Licences were required only for alienation of land held in chief of the Crown and are thus a far less complete source for transfers of land than Feet of Fines. A second drawback to the Licences is that no figure is given of the sale price or value of the land and in this respect Feet of Fines are preferable. The main point in favour of the Licences is that the contemporary index to the Patent Rolls gives the essential information about them and there is generally no need to go to the rolls themselves for

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1. Much information on the sources mentioned here can be found in M.S. Giuseppi, A Guide to the Manuscripts preserved in the Public Record Office, 2 vols. (1923 and 4).

they add little to the details in the index. A second advantage when working on a single person or family is that there is no limitation to within certain geographical boundaries, as there is in the Feet of Fines. For example, the Licences of alienations for all the Clifford estates are readily found, whereas the search for Fines must be made county by county.

The Patent Rolls contain other information, mainly royal grants of all kinds, including offices and lands. This can be found more easily in a simplified form in the alternative source of the Indexes to the Privy Seal Warrants or Signet Office Docquets where they are extant.

## 2. Feet of Fines

The Feet of Fines are virtually a complete record of major conveyances in land, whether real or 'fictitious'. In all the conveyances mentioned in this study, bargains and sales, mortgages and jointures, as well as in many grants of fee farms, long leases and some shorter leases, the further assurance of the lands covenanted in the indenture or lease took the form of a Fine. The Fines, establishing entitlement to land (except land held in tail of the King), supply information of agreements between parties concerning landed property. They are no exact guide to the nature of the conveyance undertaken, which must be sought elsewhere, although most frequently it is a sale of land. The outstanding value of the Fines is their completeness as a series and, in particular, as on many occasions the only surviving evidence that some kind of conveyance took place.

The figures of the sale price in the Feet of Fines, as is well known, are unreliable. The comparisons given below between the figures taken from the Fines and the actual sale prices of some of the Cliffords' properties suggests a limited use for the Fines.

<u>Property</u>	<u>Kind of Transaction</u>	<u>Fine Figure</u>	<u>Actual Price</u>
Broomfleet	Sale	£ 80	£ 200 <sup>1</sup>
Nesfield	Sale	100	400 <sup>2</sup>
Elsø	Lease	360	700 <sup>3</sup>
Brompton	Sale	680	1,176 <sup>4</sup>
Easthorpe	Sale	500	2,040 <sup>5</sup>
Cowthorpe	Mortgage	500	1,600 <sup>6</sup>
Cowthorpe	Mortgage	600	2,500 <sup>7</sup>
Eshton	Mortgage	1,100	4,600 <sup>8</sup>
Bolton	Mortgage	600	5,000 <sup>9</sup>
Maltby	Mortgage	440	1,100 <sup>10</sup>
Maltby	Sale, in two parts	140 300	320 <sup>11</sup> 1,480 <sup>12</sup>

The figure mentioned in the Fine is clearly not the sale price, but it is a guide to the minimum amount of the actual price. In all cases the Fine figure can be doubled

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|---------------------------|------------------------|
| 1. Skipton MS. A/29/4.    | 2. Skipton MS. A/34/1. |
| 3. Skipton MS. A/34/1.    | 4. C54/2089.           |
| 5. Bolton MS. Bk.94, f.33 | 6. C54/1238.           |
| 7. C54/1263.              | 8. C54/1495.           |
| 9. C54/1524.              | 10. C54/1236.          |
| 11. C54/1237.             | 12. C54/1240.          |

to obtain the minimum amount of the actual price, though for most of the Fines over £500 it would be more correct to multiply by four. When, for lack of other evidence, the Fines figure has been used in this study, for some minor sales only, the sale price has accordingly been reckoned at twice that figure.

The details of manors and lesser holdings given in the Fines appear to be accurate and are usually identical with those found in the Licences of alienation. But other details, such as acreage of land, meadow and pasture, moors and woods, are mainly quoted in round figures and do not suggest that they can be accepted as correct.

Although most of the original Feet of Fines have been examined, the references in this study are to the printed index to Yorkshire Fines in the Tudor and Stuart period published by the Yorkshire Archaeological Society, which greatly facilitated the search.<sup>1</sup> Without an index, the search would be laborious in all phases and the results would probably not merit the effort. The index to the Yorkshire Fines is complete in its details except for the figure of the sale price which has been omitted.

### 3. Close Rolls Indentures

The Indentures entered in the Close Rolls are the most reliable and the most rewarding source for land transactions.

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1. Feet of Fines of the Tudor Period, 1486-1603, 4 vols. (Yorks. Arch. and Top. Assn. Record Ser., Worksop, 1887-1890) and W. Brigg, (Ed.), Yorkshire Fines for the Stuart Period, 1603-1625, 2 vols. (Yorks. Arch. Soc. Rec. Ser., Leeds, 1915 and 1917).

They record sales of land, mortgages, conveyances of land in trust, as for jointures, and conveyances for many other purposes.

The details and conditions of sales and of other forms of conveyance are generally clear. The normal mortgage is distinguished from the sale by the clause of recovery, which usually starts 'provided alwaies', upon repayment of the sum mentioned, but in other respects its form differs in no way from that of a sale. The period of mortgage in the late sixteenth century was in most cases for six months or a year; the mortgage money included the capital loaned and the interest due at the official rate of ten per cent.

Not all the Indentures were entered in the Close Rolls. By the statute 27 Henry VIII caput 16, Indentures of Bargain and Sale were not valid unless enrolled either in one of the courts of record at Westminster, hence the entries in the Close Rolls, or in the county where the lands lay before the Custos Rotulorum or two Justices of the Peace, provided the Clerk<sup>1</sup> of the Peace was one of them. These county indentures are extant amongst the records of the Clerks of the Peace; for example, in Norfolk,<sup>2</sup> and the North Riding of Yorkshire.<sup>3</sup>

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1. Statutes of the Realm, iiii, 1509-1547 (1817), 549. This statute, however, was evaded; see Giuseppi, op.cit. I, 21.
  2. J.C. Tingey, "A Calendar of Deeds enrolled within the County of Norfolk," Norfolk Archaeology, xiii, (Norwich, 1898), 33-92.
  3. H.M.C. Ninth Report, Appendix, pt.1, (1883), 332-4.

These three sources, the Patent Rolls, Feet of Fines and the Close Rolls, have distinct and individual merits as evidence of transactions in land. Taken together, they form an almost complete record of conveyances; each source supplementing and complementing the others. To examine all three sources thoroughly, however, may only be feasible when dealing with a comprehensive subject, as in the study of a noble family.

The exact nature of a conveyance must often be doubtful when no Indenture is available. But usually it is not difficult to assume the sort of transaction likely to take place between the parties concerned and with the land in question. For this study, the Cliffords' family papers have provided much supporting evidence. In searching the public records for the transactions and financial dealings of an important landowner, it is not enough to limit the search to agreements made by the principal figure. On several occasions, for example, the 3rd Earl's business was performed by his servants without mention of him.<sup>1</sup> This is particularly true of Indentures and Obligations, where the most important dealings are found.

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1. See infra, Table A.

## B. Obligations

Obligations were as essential a part of legal practice in the sixteenth century as they are at the present time. Interest in obligations has, so far, centred on statutes. Mr. L. Stone suggested their value as sources, but made the unwarranted assumption that they represented money debts in the modern sense of the term.<sup>1</sup> Mr. Trevor-Roper, in his criticism of Stone,<sup>2</sup> followed the definitions in Jacob's Law Dictionary, an eighteenth century publication, which gave a full account of obligations according to the practice of his day.<sup>3</sup>

Jacob's definitions are misleading not because the basic forms of obligations differed from those of the sixteenth century, but because the theory as well as the practice had by the eighteenth century become stereotyped. In consequence, Trevor-Roper is also to some extent inaccurate; but his inadequacy lies rather in what he omits than in what he has to say on the problem. The statutes in the nature of statute staple, with

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1. L. Stone, Ec.H.R., xviii, 22-3.
  2. H.R. Trevor-Roper, Ec.H.R., 2nd ser. iii, 281-8, especially 283, n.1.
  3. G. Jacob, A New Law Dictionary, (9th Edn., Ed. O. Ruffhead and J. Morgan, 1772).

which he and Stone were mainly concerned, were only one of several types of obligation in constant use in the sixteenth century. Nor did he do more than suggest the purposes for which these statutes could be used and, like Stone, assumed that most statutes recorded true debts, in other words loans.<sup>1</sup> Whatever their economic implications, obligations were basically legal instruments; and the nature of the obligation and the remedies available to the obligee on default of the obligor varied according to the origin and usage of each particular class of obligation. One of the peculiar characteristics of the Tudor age was the adaption of medieval practices to the demands of an expansionist economy. The variety of form and ubiquity in usage of obligations in the later part of the sixteenth century is a reflection of that development. When Jacob and Cruise,<sup>2</sup> the authorities usually cited, wrote in the eighteenth century, usage had become rigid and obligations were therefore capable of rigid definition and application, whereas in the late sixteenth century there was still some scope for uses as yet unlimited by the precedents of what would be acceptable in equity.

There were three separate types of obligations - Bonds; Recognizances; and Statutes. This is clear from both the

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1. E.g. Trevor-Roper's use of P.R.O. Recognizances for Debt (i.e. statutes) as evidence of borrowing in 'The Gentry, 1540-1640' (Ec.H.R. supplement 1, 1953), especially p.21,n.1
  2. Jacob, op.cit. William Cruise, A Digest of the Laws of England Respecting Real Property, 7 vols-(4th Edn.,1835).



theory as stated by West in his Simboleography,<sup>1</sup> a manual of the correct forms of legal instruments, and the terms used in practice by the Cliffords' household officers.<sup>2</sup> Bonds were distinguished from recognizances and statutes by the fact that recognizances and statutes were recorded and bonds were not; and though recognizances and statutes were often grouped together under the heading of recognizances, and indeed had certain features in common, they should be thought of as two distinct forms of recorded obligation, for they differed notably in the procedure by which they were recorded and by which the penalty could be levied on forfeiture of the obligation.

The different types of obligation will first be described separately.

### Bonds and Bills

Bills obligatory and Obligations, otherwise called Bonds, were the simplest type of obligation. The only difference between the Bill and the Bond was that the Bill was in English and the Bond (as the name Obligation implies) was in Latin. Both Bills and Bonds were in deed, that is to say unrecorded. In them, the obligor acknowledged that he owed to the obligee "a certaine summe of money or otherthing." The sum or things due and the time, place and manner of payment or delivery were entered in the obligation.<sup>3</sup>

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1. William West, Simboleography, 2 parts (1622 edn.). Part I was first published in 1590, part II in 1594.
  2. E.g. Bolton MS. Bk. 115, f.3b.
  3. West, op.cit. I, section 100.

Recognizances

A Recognizance was a recorded obligation. It was acknowledged and enrolled in a Court of Record before a Judge or other officer with authority to take the acknowledgment, such as the Masters of Chancery, the Judges of either Bench, the Barons of the Exchequer and Justices of the Peace.<sup>1</sup>

Statutes

A Statute was also a recognizance, that is a recorded obligation, but it was sealed and was acknowledged before persons specially appointed for that purpose by certain statutes. There were three kinds of Statutes; the Statute Merchant, the Statute Staple and the Statute in the nature of Statute Staple.

In a Statute Merchant the obligation was acknowledged before one of the Clerks of the Statute Merchant and Mayor or chief Warden of the city of London, or two merchants of the city appointed for that purpose; or before the Mayor, chief Warden or Master or other appointed men of other cities. The obligation was sealed with the seals of the debtor and the King and was in two pieces, the larger piece being kept by the Mayor or chief Warden or other men and the lesser by the Clerks.<sup>2</sup>

The Statute Staple proper was an obligation acknowledged before the Mayor of the Staple in the presence of one of the two Constables of the Staple.<sup>3</sup>

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1. Ibid. section 103.
  2. Ibid. section 105.
  3. Ibid. section 107.

The Statute Merchant was set up by statute in the 13th year of Edward I; the Statute Staple proper by the statute 17 Edward III caput 9.<sup>1</sup> In theory both these kinds of Statute were for the use of merchants and it was because of the supposed abuse of this privilege that by the statute 23 Henry VIII caput 6 they were reserved for the use of merchants and a separate type, the Statute in the nature of Statute Staple, or the Statute Staple improper as West calls it, was instituted for the use of the general public.

The Statute Staple improper was similar to the Statute Staple proper, but it was acknowledged before one of the chief Justices or, in their absence, before the Mayor of the Staple and the Recorder of London.<sup>2</sup> Copies of these statutes were enrolled and also entered in books kept by the Clerk of the Recognizances. These Entry Books of the Clerk of the Recognizances have strayed into the Lord Chamberlain's department at the Public Record Office.<sup>3</sup> In a later statute, 27 Elizabeth caput 4, registration of Statutes was made a necessary condition of legal action for recovery.<sup>4</sup> If this

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1. Ibid. sections 105, 107.
  2. Ibid. section 109.
  3. For a survey of the sources connected with these statutes, see Mr. R.B. Pugh's 'Provisional Note Upon Recognizances in the Nature of Statute Staple' (P.R.O. Note no. 123), which can be referred to at the Public Record Office.
  4. Trevor-Roper, Ec.H.R., 2nd ser. 111, 282.

statute was put into effect, the Entry Books should also contain the record of some Statutes Merchant and Statutes Staple proper.

#### Penalties and Enforcement.

The extent of the penalty and the strictness in execution of obligations became progressively greater in the order of bonds, recognizances and statutes. The penalty of a bond was the sum for which the obligor was bound; of a recognizance, "all the Recognisors goods and chattels except his draught beasts, and implements of husbandrie, and the moiety of his lands";<sup>1</sup> of a statute, the body, lands and goods of the debtor.<sup>2</sup>

Each court of record which acknowledged recognizances had the authority to execute them by force; as, for example, the Exchequer, where the King's Remembrancer acknowledged the recognizances, the Treasurer's Remembrancer enrolled them and the King's Remembrancer issued writs of execution.<sup>3</sup> With statutes, the procedure gave the creditor possession of the debtor's lands after the record of the debt had been certified in Chancery, an inquisition of the debtor's lands taken and a writ of liberate issued to the creditor.<sup>4</sup> Litigation on both recognizances and statutes was on the Common Law side of Chancery;<sup>5</sup> on bonds, in the Common Pleas.<sup>6</sup>

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1. West, op.cit. I, section 103.
  2. Ibid. section 105.
  3. Giuseppi, op.cit. I, 98.
  4. R.B. Pugh, loc.cit.
  5. Ibid. Giuseppi, op.cit. I, 46.
  6. Giuseppi, op.cit. I, 253.

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The fact that few of the entries of recognizances and statutes were cancelled has raised the question whether the cancellation is of any importance as an indication that the obligation was performed and whether, if the record of the debt were left uncanceled, the debtor was in any danger of being<sup>1</sup> proceeded against by a creditor not averse to fraud.

Though cancellation of the entry would suggest either that the obligation was performed or the agreement terminated, it is unlikely that any inference can be drawn from the failure to cancel. This is because an obligation enrolled on record would be in the nature of a legal judgment. The debtor would have previously acknowledged that should he default he must pay the penalty. Hence the judicial process for enforcement usually began with a scire facias - a writ to the debtor to show cause why the judgment should not be executed. Thus, being in the nature of a judgment, it would not greatly<sup>2</sup> matter if the record of the obligation were cancelled or not.

The normal methods of certifying that the contract was ended were by acquittance and indenture of defeasance, but mostly by the destruction of the bond itself. The 3rd Earl of

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1. E.g. the views on this question expressed by Stone, Ec.H.R., 2nd ser. iv, 318 and Trevor-Roper, Ec.H.R., 2nd ser. iii, 282.
  2. I am indebted to Dr. W.J. Jones, who has studied sixteenth century Chancery procedure, for this information.

Cumberland received a release and quit claim for two of his statutes, the entries of which were also cancelled.<sup>1</sup> When the 4th Earl's obligations on statutes to the Earl of Dorset were cancelled, John Taylor, Cumberland's officer, requested an acquittance from Dorset. Dorset refused to give one on the grounds that he had delivered in the statutes and that was<sup>2</sup> "a sufficient discharge".

#### The Uses of Obligations.

In his definitions, West emphasises that an obligation involved a money debt, that the obligor owed "a summe of money or other thing". This debt was the usual penalty on the default of the obligor and as such it conceals the contract entered into in the obligation. Obligations were used for a variety of purposes and in order to explain how they were used it is necessary to divide them functionally into two groups: the first, official obligations; the second, private obligations.

##### a. Official Obligations.

Official obligations were those taken locally or centrally for government purposes. They were demanded as security for both the fiscal and administrative aspects of government; for the fiscal in order to bind officials to render accounts, for the administrative to bind officials to perform the duties they were expected to perform. The sources of extant obligations will give an idea of the circumstances in which they were required.

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1. C54/1554; L.C. 4/192/417.
  2. Williamson, Lady Anne Clifford, 120.

Bonds and recognizances entered in Chancery included those demanded of receivers and official liquidators:<sup>1</sup> in the Exchequer, recognizances were required from sheriffs, bailiffs, escheators and other accountants for making their accounts, and bonds were taken for the payment of sums due to the collectors of Customs and subsidies and to other officers.<sup>2</sup> In the Palatinate of Lancaster, recognizances were demanded in connection with the assizes and gaol deliveries and bonds for the payment of money to the receivers and accounting officers of the Duchy.<sup>3</sup> Enrolments of the Palatinate of Chester include recognizances.<sup>4</sup> Bonds were given<sup>5</sup> as security for payments of money into the Court of Wards,<sup>6</sup> recognizances for payment into the Court of Augmentations. Examples mentioned by West include recognizances given to keep the peace and appear at the next assizes, for good abearing, for keeping alehouses and to execute a balliwick.<sup>7</sup>

Official obligations seem to be confined to bonds and recognizances, but there is a possibility that some of the high

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1. Giuseppi, op.cit. I, 21,22.
  2. Ibid. 98.
  3. Ibid. 316,333.
  4. Ibid. 301.
  5. Ibid. 276.
  6. Ibid. 154.
  7. West, op.cit. I, sections 103, 104.

officers may have been required to enter into statutes.<sup>1</sup> The type of obligation demanded of officials depended mainly on the importance of the activity which they bound themselves to perform. The more responsible the position, the greater would be the desire that if the officer should default the Crown would be able to recover from his personal possessions the money for which he was to account. The legal processes were such that in normal conditions the officer would be unable to escape the penalty of the obligation.

b. Private Obligations.

Apart from bonds which survive in family papers for the most part, the two main sources for private obligations are the recognizances acknowledged in Chancery and enrolled in the Close Rolls and the Lord Chamberlain's statutes. It is easy to establish the purpose of a private obligation if there is a condition attached. A condition, according to West, was a means of delaying the operation of the penalty until either the obligation was performed, whereupon it became void, or until the obligor defaulted, when the penalty might be enforced.<sup>2</sup> Conditions were invariably attached to official obligations, such as a condition to exercise a bailiwick.

In private obligations, a condition attached immediately identifies the meaning. The evidence of the Cliffords'

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1. An impression formed after examining the entry books.  
 2. West, op.cit. I, sections 110, 111.



obligations suggests that conditions can be found in all bonds, most recognizances, but not many statutes. (The original statutes may have had conditions, but few were entered in the entry books). Because of this there is greater difficulty in establishing what sort of transaction statutes conceal than there is with the other types of obligation.

The conditions reveal that bonds and recognizances were principally used as security for loans. The usual form of the loan was to specify the repayment of a certain sum of money at a certain date. The sum consisted, as in a mortgage, of the principal of the actual loan and the interest at the statutory rate of ten per cent, the amount of interest naturally varying according to the time allowed before repayment. The penalty was normally twice the figure of the actual loan; that had<sup>1</sup> for long been the security demanded by the creditor.

The conditions also reveal agreements that were not specifically money debts, for which the penalty, as in many official obligations, was the means of persuading the obligor to perform the conditions of the obligation. West gives such examples as conditions to make a jointure, to deliver a last<sup>2</sup> of salmon and to perform covenants. There were some unusual conditions. William Fenner of St. Martin in the Fields, gent,

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1. W.T. Barbour, *The History of Contract in Early English Equity*, Oxford Studies in Social and Legal History, Ed. P. Vinogradoff, (Oxford, 1914), 89.
  2. West, op.cit. I, sections 145, 131, 171.

bound himself in a statute to Henry Hawkins, Doctor of Laws,  
of London for £100 the statute to be void;

if the sayd William Fenner doe from henceforth Cohabit  
continewe & dwell together with Anne ffenner now his wife  
& use her in all poyntes as shall well beseeme a lovinge  
husband & an honest man to doe, Or ells leavyng or  
refusinge to dwell & cohabit with her, shall from hence-  
forth yerely & from yere to yere, well & truly satisfie  
& pay unto the foresayd Henry Hawkins or his Assignes, to  
the use of the sayd Anne ffenner or her Assignes duringe  
her naturall life, the some of £20. <sup>1</sup>

However, it is the more conventional contracts which are  
of greatest economic significance. For example, the 3rd Earl  
of Cumberland, having twice mortgaged the manor of Cowthorpe,  
eventually failed to redeem it and it passed to the mortgagees  
who almost at once sold it to Thomas Walmesley. The Earl  
bound himself for £5,000 in a recognizance to allow Walmesley  
quiet possession, or in other words not to attempt to recover  
the manor. <sup>2</sup> Had the Earl wished to recover the manor, £5,000,  
which was twice the sale price, would have been too steep a  
price to pay. This is one of the uses of obligations cited  
by West <sup>3</sup> and in view of the leniency of the law courts to  
mortgagors a very necessary precaution. But it is also an  
example of the close connection that can be found between  
conveyances in land and obligations and statutes in particular,  
which will be evident from the discussion that follows.

Only two of the twenty recognizances entered into by the

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1. L.C. 4/192/323.
  2. C54/1278.
  3. West, op.cit. I, section 157.

3rd Earl had no condition. One of these was recorded at the time when the manor of Maltby was sold in similar circumstances to the sale of Cowthorpe to Walmesley and it may be assumed that the purpose was the same.<sup>1</sup> Evidence from other sources proves<sup>2</sup> that the second recognizance without condition was a loan. In contrast, only two of the Cliffords' statutes had conditions and these were, in fact, both loans.<sup>3</sup> Two others had conditions in such a shortened form as to reveal only that the originals had<sup>4</sup> full conditions attached.

Apart from the two known loans on the statutes, several more can be identified as loans from other sources. Even so, over half the statutes entered into by the 3rd and 4th Earls or by servants on their behalf, that is 13 statutes out of 22, covered contracts that were not loans. A description of the contracts for which these 13 statutes were given as security will illustrate the kind of transaction for which statutes were used. All 22 statutes are set out in Table A, and the loans are distinguished from the other obligations.

The first five statutes in the table were loans. In statutes 6 and 7, however, the 3rd Earl, his brother Francis and his servant William Ferrand, were giving additional security to

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1. C54/1249.
  2. C54/1249, 1578. The other recognizances are to be found in C54/1021, 1117, 1146, 1170, 1189, 1196, 1247, 1248, 1249, 1250, 1458, 1485, 1486 and 1545.
  3. Numbers 3 and 4 in Table A.
  4. Numbers 14 and 15 in Table A.



Peter Houghton who had lent the Earl £5,000 on the mortgage of Bolton.<sup>1</sup> In statute 8, the purpose was identical; security to Thomas Cordell and Robert Chamberlain who had taken over the mortgage of Bolton on Houghton's death.<sup>2</sup> In number 9, it was William Earl of Derby who was giving security, probably for the payment of the portion to the Countess of Derby for whom Cumberland and Sir Thomas Cecil were acting in the Derby inheritance dispute as feepees in trust.<sup>3</sup> In numbers 10 and 11, Cumberland's servants Ingleby and Ferrand were giving assurance that they would repay the money still owed to the obligees on the mortgage of Brancepeth, which had been formally redeemed and conveyed to them, acting for the 3rd Earl, shortly before.<sup>4</sup>

Numbers 14, 15 and 16 are similar to 10 and 11. The 4th Earl had received £6,000 from the Earl of Salisbury as dowry for Salisbury's daughter Lady Frances Cecil on her marriage to the 4th Earl's son and heir Henry Lord Clifford.<sup>5</sup> The 4th Earl used this money for the partial redemption of Bolton, which had been in continuous mortgage since Houghton took it in 1596.

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1. C54/1524.

2. Yorks. Fines, Tudor, IV, 89.

3. C54/1681; H.M.C. Salisbury MSS., vii, 344. Mr. J.P. Cooper has explained the causes of the dispute and the agreement reached in 1595 in "The Counting of Manors", Ec.H.R., 2nd ser. viii (1956), 379, n.2. However, he failed to notice this statute which Stone included in his list of the 3rd Earl's statutes, Ec.H.R., xviii, 47.

4. C54/1548.

5. See infra, Chapter X, p. 287.

These three statutes represent security demanded by Salisbury for the dowry until the 4th Earl fulfilled his agreement to settle certain lands on Lord Clifford and his bride: and Cumberland and Salisbury's joint assurance to William Garway, Thomas Cordell's executor, that they would complete the repayment of the money owed on the mortgage.<sup>1</sup> The final payment on the redemption was made on August 1st 1613;<sup>2</sup> the cancellation of the statutes followed two days later.

Number 17 is the unique example in the Cliffords' statutes of a statute merchant, acknowledged by the 4th Earl and Lord Clifford to Thomas Paradine, haberdasher, before the Lord Mayor of York. In 1640 this statute was assumed to be an ordinary statute until a search in the statute office in London proved futile and the search continued at York, where a copy of the statute was procured.<sup>3</sup>

Numbers 19, 20, 21, and 22 were the statutes given by the 4th Earl as assurance for his payment of Lady Anne Clifford's portion according to the award made by King James in 1617 which ended the inheritance dispute between Lady Anne and the 4th Earl. The cancellations followed immediately on the payment of the instalments of the portion. The last instalment of the portion was conditional and, in fact, was not made.<sup>4</sup>

These statutes emphasise one of the pitfalls which

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1. Bolton MS. Bk. 256.
  2. Bolton MS. Bk. 104, f.2a.
  3. Bolton MS. Bk. 179, f.21 et seq.
  4. For a discussion of the arrangements, see infra, Chap.VIII.

Trevor-Roper warned against, that of assuming that statutes were records of actual debts and not merely formal obligations of indebtedness.<sup>1</sup> But they also indicate that the meaning of statutes which have no condition can be explained by indentures involving mortgages, jointures and similar agreements. Some, but by no means all, of these indentures can be traced in the Close Rolls. Where there is a conveyance of land, fines and licences of alienation can help to provide the missing information. Certain agreements, however, might be found only in the records of the family concerned.

It can be concluded that to establish the meaning of each statute one must assume that a statute by itself merely implies some obligation between two or more parties: that a statute with a condition conforms to the meaning of the condition: that where there is an obvious connection between a statute and an indenture, then the explanation is to be found in the indenture. Trevor-Roper has suggested that a statute can be accepted as being a loan if the obligees warrant it, that is if they are goldsmiths, moneylenders or merchants.<sup>2</sup> That may often be so, but other evidence is necessary in order to be certain, since this rule would not apply to the examples listed above. The general conclusion is that no generalisation as to the contracts

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1. Trevor-Roper, Ec.H.R., 2nd ser. iii, 284. Dr. M.E. Finch has similarly demonstrated this point in analysing the Tresham family statutes in The Wealth of Five Northamptonshire Families 1540-1640 (Northants Record Society vol.xix, 1956), 83 n.6.
  2. Trevor-Roper Ec.H.R. 2nd ser. iif, 288.

that underlie the formal evidence of an obligation is possible. Each individual case demands separate attention. At its most inconclusive, however, a record of obligation between certain parties should not lack significance in the Elizabethan age.

Bonds and recognizances were no less valuable than statutes as a means of securing the performance of legal contracts. Mr. Stone has said that his evidence indicates that<sup>1</sup> bonds were more commonly used than statutes for this purpose. No doubt this was so. But recognizances and statutes by being recorded offered greater security than bonds and to judge by the numerous extremely high penalties in statutes they in particular appealed to the wealthier sections of society as the safest method of securing the observance of important agreements. In this respect, the Cliffords' statutes were typical.

#### General Comments on Obligations.

There are questions of a more general nature raised by the use of obligations on which, because of the prolific use of obligations by the Cliffords, it is possible to comment.

One problem is the connection between mortgages and statutes, which is evident in numbers 6,7 and 8 of the Cliffords' statutes. The question is why was there both a mortgage, properly recorded in an indenture in the Close Rolls, and a statute for the same debt. In effect, why the double entry of this debt and of the two, the mortgage and the statute, which

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1. Stone, Ec.H.R., 2nd ser. iv, 315.



was the real debt?

It can be assumed that the mortgage was the real debt and that the statute was further security for it. In every case of a mortgage or a redemption, the indenture preceded the statute. (The chronology of recording the various documents was; first, the licence of alienation, then the indenture, then the statute if there was one, and finally the fine). The double security of mortgage and statute is only found in the last two years of the 3rd Earl's privateering career, when his estates were already heavily encumbered and his privateering schemes more grandiose than formerly.<sup>1</sup> Further security would not, therefore, have been unwarranted if it were not for the fact that it was unnecessary since the mortgage itself gave ample security.

The essence of a mortgage in the later sixteenth century was that it was a loan of money with property pledged as security for repayment.<sup>2</sup> Mortgages were, therefore, essentially similar to loans on bonds, recognizances and statutes. They all guaranteed ten per cent interest and differed only in the type of security they offered. The mortgage gave possession of land equal in value to the loan; recognizance and statutes

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1. See infra, Chapter II sections iii, iv. The 3rd Earl is not a special case in this respect. Dr. W.J. Jones has found other instances of double security.
  2. On this point see R.W. Turner, The Equity of Redemption, (Cambridge, 1931), 90.

gave to the creditor a large part or all the debtor's property from which to raise the penalty; with a bond, the creditor could recover the debt by a suit at law.

With the mortgage, there was not so much greater security as greater celerity of execution since possession of the mortgaged lands was both immediate and complete. If the creditor wanted to recover the loan and interest in the form of land immediately on the debtor's default, he would prefer a mortgage to a statute or recognizance. Because of this and because, presumably, the creditor could not claim more than the penalty of a statute, the further security of a statute would serve only to give the creditor the legal right to take double the amount loaned if the debtor defaulted. If that was his wish why, it must be asked, did he grant the loan on a mortgage in the first place?

A further question is the extent to which the various types of obligation were used as security for loans during the period covered by this study. There can be no doubt that the simplest of the forms available, bonds, was the widest used.<sup>1</sup>

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1. The entries of loans in private accounts support this view. E.g. see Londesborough MS. D/7; G.R. Batho, *The Household Accounts of Henry Percy, Ninth Earl of Northumberland, 1564-1632*, M.A. London thesis (1953), 131-2; and H.M.C. Salisbury MSS., vii, 283, 375-6. Dr. P.H. Bowden has also stated that "bonds were by far the most common form of security for debts in the wool trade". See "The Home Market in Wool, 1500-1700", Yorks. Bulletin of Economic and Social Research, viii, (1956), 146.

Bonds could be drawn up quickly, there was neither the trouble nor the expense of recording them and when the contract had been performed the copies of the bond could be destroyed. In practice, it was precisely this simplicity which restricted their use. To be certain that an obligation would be performed, it needed to be formally recorded. Bonds, written often on small pieces of paper, might be lost, forged and at the last resort denied. To establish that a bond had been entered into, the bond itself had to be produced. To force a recalcitrant obligor to perform or to pay the penalty was often no easy task, even if a judgment was won in the Common Pleas. One of the regular activities of the attorneys of the 4th Earl of Cumberland was compounding old debts. Often, after the passing of the years with the bonds not honoured, they could pronounce the debt "easy to be compounded" or, laconically, "it sleepeth".<sup>1</sup>

Mr. Trevor-Roper has suggested that loans on bonds were commonest before 1600, on mortgages after 1600,<sup>2</sup> whilst Mr. Stone has stated:

The mortgaging of property was....the most commonly employed and probably the most improvident of all the ways in which the nobility sought to increase their immediate cash resources.<sup>3</sup>

Such impressions are, it would seem, over-simplified. In the first place, allowance must be made for the fact that bonds,

1. Londesborough MS. D/7.
2. Trevor-Roper, Ec.H.R., 2nd ser. 111, 297 n.2.
3. Stone, Ec.H.R., xviii, 23.

being unrecorded, were the form of loan least likely to survive. The only reason why evidence of so many sixteenth century bonds is available in the Clifford papers is that they were not honoured at the proper time and were the cause of some sort of legal action, later.

Moreover, as has been made clear, recognizances and statutes as well as bonds and mortgages were frequently used for loans. Nor do there seem to be grounds for accepting Mr. Stone's assertion on the improvidence of mortgages, since for all kinds of loan ten per cent was the legal rate of interest; unless the land were undervalued and could not be redeemed.

The debts of the Cliffords are useful as an indication of the methods of borrowing favoured by one noble family, and a notoriously improvident family, in the period 1579 to 1640. They reveal that the Cliffords' ways of borrowing were modified at certain times. Throughout the period bonds and bills were used for small loans and current debts such as those for goods provided for the household but not paid for immediately. Up to 1605, big loans were taken up on all four main types of obligation; 15 on recognizances, 11 on mortgages, 7 on statutes<sup>1</sup> and it is clear that there were other, perhaps many, loans on

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1. The loans on recognizances are to be found in C54/1021, 1117, 1146, 1196, 1247, 1248, 1249, 1250, 1458, 1485, 1486 and 1545. The mortgages are in C54/1236, 1238, 1244, 1250, 1263, 1288, 1399, 1495, 1524 and 1579. In three of the mortgages the redemptions only are recorded (C54/1238, 1263 and 1579) and the record of another is found only in a recognizance (C54/1250).

bonds although it is not possible to say how many.<sup>1</sup> The biggest single loans were on statutes and mortgages. (These figures are also a useful indication of the relative value of the two main sources for recorded loans: 26 were entered in the Close Rolls, 7 in the Lord Chamberlain's statutes).

The last of the Cliffords' loans on recognizances was taken up in 1595,<sup>2</sup> the last on a recorded mortgage in 1597.<sup>3</sup> Between 1597 and 1616 there were only four loans on statutes. Thus, after 1597 bonds almost completely replaced mortgages, statutes and recognizances as the form of major loans, and after 1616 the loans both large and small were wholly on bonds. From using all four types of obligation for loans in the late Elizabethan period, the Cliffords changed in two stages, 1597 and 1616,<sup>4</sup> to one form - bonds.

There was a further development, not less important, little more than a decade later. Up to and during the 1620's, the loans were negotiated directly by the Cliffords or their servants with the lenders.<sup>5</sup> By this time, the medium for offering and receiving credit was becoming organised. Scriveners

1. Londesborough MS. D/7.
2. C54/1545.
3. C54/1579.
4. The change from mortgages was probably the result of the courts' acceptance of the mortgagor's equity of redemption, which began to influence legal decisions in the first decade of the seventeenth century, earlier than is generally supposed. I am indebted to Dr. W.J. Jones for this information.
5. The 3rd Earl's creditors are discussed in Chapter III.

and banks were the agencies.<sup>1</sup> The Cliffords' first certain dealing with a scrivener was in 1624,<sup>2</sup> the second in 1627.<sup>3</sup> It was in 1627, also, that Lord Clifford wrote to Sir Thomas Fairfax, "I shall put in your gold into the bank and I hope I shall many years get the increase of it".<sup>4</sup> After 1630, virtually all the Cliffords' major borrowing was done through scriveners in London.

By the eighteenth century the forms of obligation had been simplified. Bonds and recognizances were now the two main types. Bonds were of two kinds; simple bonds, which were without conditions of repayment, and bonds with specialty, that is bonds with conditions. The term recognizance covered both the sixteenth century recognizance and statute, the penalty on default being the same in each case. The recording of a recognizance was its chief difference from a bond. Indeed, a recognizance not enrolled was treated legally as a bond with specialty.<sup>5</sup>

In the sixteenth century, both terminology and usage were much nearer to the strict legal definition of the various kinds of obligation. Of the great variety of contracts possible in

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1. Max Beloff, "Humphrey Shalcrosse and the Great Civil War", E.H.R., Llv (1939), 686.
  2. Bolton MS. Bk. 112, f.1b.
  3. Bolton MS. Bk. 125, title of Debts paid. For a list of the scriveners with whom the Cliffords dealt, see Appendix III.
  4. W.H. Dawson, History of Skipton, (1882), 45.
  5. See the definitions given in Cruise, op.cit. and Jacob, op.cit.

obligations, true debts were undoubtedly the commonest kind. The equating of one form of obligations, statutes, with indebtedness has been a notable contribution to the study of the changing fortunes of the aristocracy under Elizabeth, though of less value for the early Stuarts. It is an interpretation which, in all probability, the more detailed and careful<sup>1</sup> investigation that is needed will ultimately support. Yet, to ignore the alternative forms of obligation and the variety of purpose for which they and statutes were used is to do less than justice to the complexity, not to say sophistication, of contractual forms in the Tudor period and the wealth of material for the social and economic historian which they contain.

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1. It will be seen that all the Cliffords' statutes involved indebtedness, for where the statutes were not loans they were concerned with debts incurred at an earlier date. Mr. Stone has expressed a similar opinion in Ec.H.R., 2nd ser. iv, 315-6.

PART I. THE 3rd EARL

Chapter I

THE SUCCESSION OF THE 3rd EARL

1. His Minority

Shortly after the rebellion of the northern Earls, Henry Clifford, 2nd Earl of Cumberland fell gravely ill, lying in his castle at Brougham in Westmorland. He was reputed to be in some danger. If he died, his title and estates would fall to his elder son George Lord Clifford, then a minor. Four years previously, the 2nd Earl had opened negotiations with Francis Earl of Bedford for the marriage of Lord Clifford to one of Bedford's daughters, a marriage "motioned by my very good lord therle of Lecestre." Cumberland had also written to Leicester to raise the matter with the Queen, for her assent. It was natural that, hearing of Cumberland's illness, Bedford should request the wardship of Lord Clifford, pleading that the negotiations for the marriage were now "wel knowne to manie".<sup>1</sup>

Cumberland died on the 8th January 1570. At the time, Lord Clifford was living at Battle with his aunt Magdalen Dacre, his mother's sister who had married Viscount Montague. He had been sent to Battle by his father to be "bred up there

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1. Whitaker, 338.



for a while so that he might see the renowned Queen Elizabeth and her court and the City of London and the Southern parts of England".<sup>1</sup> Montague, though there was no<sup>2</sup> reason to doubt his loyalty to the Crown, yet was a Catholic: the Countess of Cumberland's presence near the Borders was giving anxiety to the government in the north, for though she had no desire to embarrass royal authority her brother had usurped the titles of Lord Dacre and Greystoke and was defying the Council in open rebellion.<sup>3</sup> If Lord Clifford should return to the north, the great name and wealth that had been his father's might yet continue to be 'no enemy'<sup>4</sup> to the Catholic cause.

It was the wiser course, as well as the acknowledgment of Bedford's prior claims, that the young Earl should remain in the south as a royal ward in Bedford's charge. Within a week of his father's decease, he was removed from Montague's<sup>5</sup> and placed in Bedford's care. Until his marriage seven years later, Cumberland was a member of the Russell family

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1. Williamson, 3.
  2. D.N.B. 111, 40.
  3. Cal.S.P. Dom., Addenda, 1566-1579, xvii, 69.
  4. Ibid. xviii, 29.
  5. Williamson, 6. Bedford paid £1,600 for the wardship and received £1,644.19.0 $\frac{1}{2}$  from the Crown for Cumberland's exhibition. (P.R.O. Wards 9/380 f.103b. et seq to 386 f.283b $\frac{1}{2}$ ).

rather than of his own and by that marriage, to the youngest of Bedford's daughters, the alliance formed in his youth was perpetuated until his death in 1605.

The political expectations were fulfilled. Though Cumberland was named in 1585, with the Earl of Rutland, a friend of the papists at court,<sup>1</sup> in his achievements as in his protestations he maintained the Cliffords' tradition of fidelity to the Tudor dynasty. In the crises of the reign, he was guilty of neither indecision nor lack of enthusiasm in his support of the Crown and in their last favours both Elizabeth and James I dealt graciously with him as a reward<sup>2</sup> for his loyal services to the realm.

The young Earl's formative years were spent mainly at Chenies or in Cambridge. Though he was first introduced at Cambridge to those courtly accomplishments at which he was later to excel, all was not manly sport, wit, conceit nor gentle relaxation. There was more serious fare for a youth as precocious and enquiring as Cumberland. His tutors there were William Whitaker, the great opponent of Cardinal Bellarmine, and John Whitgift.<sup>3</sup> Whitgift it was who "wanne<sup>4</sup> [him] from Poperie" and so confirmed that personal

1. Cal. S.P. Dom., Addenda, 1580-1625, xxix, 39.
2. H.M.C. Salisbury MSS. xvii, 459-61.
3. For details of the Earl's education see Williamson, 6 et seq.
4. W.P. Baildon, (Ed.), Les Reportes del Cases in Camera Stellata 1593 to 1609, (1894), 228.

reformation which was the prime cause of retaining him in the south. Under Whitgift's guidance, he commenced those studies which, when translated into practical reality by the rigours of navigation at sea, were to be the passion of his life. Although, his daughter has said, he

never attained to any great perfection in the Latin tongue, yet ~~he~~ had a general knowledge and insight into all the arts specially the Mathematicks wherein he took great delight.<sup>1</sup>

To mathematics he devoted his attention so earnestly "as to abstract it wholly from all other studies".<sup>2</sup>

In May 1574 he moved from Cambridge to Oxford in order to give special attention to the study of geography.<sup>3</sup> This interest in geography and mathematics was, his daughter thought, one of the principal reasons why he later turned to the sea and applied himself to navigation,

especially towards the West Indies and those New found lands wherein he became the most knowing and eminent man, of a Lord, of his time.<sup>4</sup>

If Whitgift's persuasion had justified Cumberland's residence in the south as a reason of state, the Earl of Bedford's personal interest was also to be satisfied. On the 24th June 1577 a double ceremony was performed in the presence of the Queen in which Cumberland and his sister

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1. Williamson, 10.
  2. Edmund Lodge, quoted in T.A. Walker, (Ed.), A Biographical Register of Peterhouse Men, (Cambridge, 1927), I, 265.
  3. Williamson, 6, 11.
  4. Ibid. 11.

Lady Frances Clifford were married; Cumberland to Margaret, the youngest of Bedford's daughters, Lady Frances to his constant companion in these years and throughout his life, Philip Lord Wharton.<sup>1</sup> The match was not made without some tribulation on Cumberland's part which cannot lightly be dismissed in view of his later reputation as "the flightiest of husbands".<sup>2</sup>

Bedford's care of his ward, indeed, might easily have been in vain. Though Cumberland was at first attracted to Margaret Russell, which Bedford disliked because he wished him to marry her elder sister Elizabeth,<sup>3</sup> he later fell "exceedingly in love" with Sir William Holles' daughter Gertrude, by repute a very handsome lady. The Earl asked Sir William to consent to her marriage with him, but Sir William would not agree to it, claiming that he did not want a son-in-law before whom he would have to stand cap in hand. He would, he declared, see her married to an honest gentleman with whom he could have friendship and conversation. Sir William was as good as his word; Gertrude was married to<sup>4</sup> Walter Stanley Esq of West Bromwich on the 20th January 1578.

Thus the Clifford titles that would have honoured the Holles family fell to the daughter of a house more noble if

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1. Williamson, 11. Lord Wharton's wardship had been granted to the 3rd Earl of Sussex in 16 Elizabeth (Wards 9/150 B. f. 298). Lady Frances' dowry to Wharton was £2,000 (Appleby MS. Bk.III, 78).
  2. Sir Julian Corbett, The Successors of Drake, (1900), 239.
  3. The Countess' autobiographical letter to Dr. Leyfield, Williamson, 286.
  4. G. Holles, Memorials of the Holles Family, 1493-1656, .

not more proud. Except for one brief period the marriage was not a happy one. There was no mutual affection; they married for their common good, not because of any particular liking for each other. Though God "matched us in lawful manner in one", the Countess wrote, "our minds met not, but in contrar<sup>1</sup>ys and thought of discontentment."

Within a short time of the wedding the Earl and Countess travelled north and took up residence with his mother at Skipton Castle.<sup>2</sup>

#### 11. The Clifford Inheritance.

At the time of the 2nd Earl's death, the Clifford estates were mainly centred round their principal houses, Appleby, Brougham, Brough and Pendragon in Westmorland, Skipton in Craven and Londesborough in the East Riding of Yorkshire. The Cliffords had acquired their northern property partly by exchange and purchase but principally by a series of marriages with well-endowed heiresses and also as a result of Crown grants, in the sixteenth century especially, at times when they most enjoyed royal favour.

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#### reference 4 continued:-

(Camden Soc. 3rd series, LV, 1937), 41. Harleian Soc., Lxiii, 215.

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1. Leyfield Letter, Williamson, 286.
2. Williamson, 11.

Robert de Clifford, who was summoned in 1299 as 1st Lord de Clifford, inherited from his mother Isabella, co-heiress of Robert de Vipont, a moiety of the Vipont possession in Westmorland with the hereditary Sherifwick of Westmorland and half the manor of Maltby in Yorkshire.<sup>1</sup> He soon acquired other lands in the north. In 1307, he was granted the manors of Hart and Hartness with the important borough of Hartlepool in recognition of his "many great services" by Edward I.<sup>2</sup> In 1311, he exchanged lands in Scotland and Monmouth for the compact and independent fee of Skipton, strategically placed over the valleys of the Wharfe and the Aire, guarding the passes from Westmorland and Lancashire into Yorkshire and the long route from the Scottish border.<sup>3</sup>

His Westmorland estates were soon extended. On the death without heir of Isabella's sister Idonea, his second son, Robert 3rd Lord Clifford, succeeded to the second portion of the Vipont inheritance.<sup>4</sup> Until the sixteenth century, the Westmorland estates remained the most important of the Cliffords' property in the north of England. By a later

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1. J.W. Clay, "The Clifford Family", Yorkshire Archaeological Journal, xviii, (1905), 356-7. For the history of the Clifford family see also Whitaker, 312 et seq., and Williamson, Lady Anne Clifford, Chapter II.
  2. William Hutchinson, History of Durham, (Carlisle, 1794), 111, 21.
  3. Clay, Y.A.J., xviii, 356-7. The Skipton estates consisted of the Castle and Lordship of Skipton and the manors of Silsden, Skibeden, Holme, Stirton, Thorlby, Elso. Crookrise and Barden Forest.
  4. Ibid. 360. For the full list of the Westmorland manors, see Appendix I.

judicious marriage and fortuitous failure of the male line, the Cliffords acquired their third separate and substantial group of manors in the north. Margaret Bromflete, who married John 9th Lord Clifford, brought to the Clifford inheritance the title of Baron Vescy, Londesborough house<sup>1</sup> and the Vescy estates in the East Riding of Yorkshire.

It was in the first half of the sixteenth century, however, that the Cliffords achieved a prosperity and power consistent with their titular prestige of an Earldom, itself an Henrician creation. The exploits of the 9th Lord Clifford, "Butcher"<sup>2</sup> Clifford, by repute murderer of the young Earl of Rutland, and loss of their titles and estates under the Yorkists, assured them of liberal treatment under the Tudors. Henry 10th Lord Clifford, brought up as a shepherd boy to escape the fate of his father's victim, was restored to the Clifford possessions and married the ~~accusin~~-german of Henry VII. With the prudence and economy of a lifetime's residence on his estates, he restored his castles and grew to be very rich "in money, chattells, goods and great stocks of land".<sup>3</sup> Although he was in disgrace at the end of the reign because of infidelity and his opposition, with the Commons, to taxation,<sup>4</sup> the Cliffords' ties with the Tudors remained close.

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1. Ibid. 370-2. The estates consisted of the manors of Londesborough, Weighton, Brompton, Whyrethorpe, Welham and Barlby with other lands (Ibid. 378).
  2. W. Shakespeare, Third Part of King Henry VI, Act I, 111.
  3. B.M. Harl. 6177, f.41a.
  4. Ibid. f. 39a.

His son Henry 11th Lord Clifford was a companion of Henry VIII<sup>1</sup> in his youth, and in 1525 was created Earl of Cumberland.

The careers of the 1st and 2nd Earls had this in common. Each in turn defied his father's authority in his youth and after succeeding to the title wasted his inheritance by extravagant living at court and neglect of both estates and duties at home: the 1st Earl by reason of his connection with Henry VIII, the second because of his marriage to his first wife, Eleanor Brandon, daughter of the Earl of Suffolk and his consequent duty to attend at court.<sup>2</sup> Paradoxically, the process of concentrating the Clifford estates in the north of England was hastened and completed by the initial profligacy of the Earls and the more frugal courses they adopted later in life. Moreover, the rewards that came to the 1st Earl as tangible proof of royal favour amply compensated for the wastage of his early years.

In 1540, he purchased Carleton, Lothersdale, Bradley and Utley, four manors in the fertile Aire valley to the south of Skipton.<sup>3</sup> In 1540<sup>also</sup> he took a lease of, and two years later was allowed to purchase shortly before his death, the site and extensive properties of Bolton Priory, lands formerly

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1. Clay, Y.A.J., xviii, 375.
  2. B.M. Harl. 6177, ff.43a, 47a.
  3. Skipton MS. A/29/1.



amortized by the ancient lords of Skipton, with other monastic manors.<sup>1</sup> Right of the thirteen manors in this grant lay close to Skipton and with the four manors purchased earlier consolidated and integrated the Cliffords' possessions in the southern part of Craven.

The Cliffords' interest in north Craven had hitherto rested on their authority as Bailiffs of the Wapontake of Staincliffe.<sup>2</sup> The 1st Earl's marriage with his second wife, Margaret Percy, daughter of the 5th Earl of Northumberland, firmly established their control in those parts. The dowry she brought with her consisted of the six large Percy manors of Settle, Giggleswick, Long Preston, Buckden, Starbotten and Langstrothdale in the second great independent fee in Craven, lying to the north and west of the Skipton Fee. These Percy estates were confirmed as the inheritance of the 2nd Earl of Cumberland by Act of Parliament in 1536, though the ancient rents were reserved to the Northumberlands. This grant<sup>3</sup> virtually completed the Cliffords' supremacy in Craven.

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1. Letters and Papers of Henry VIII, 17. 283. The grant in fee for £2,490.1.1 and a rent of £19.3.10 was of the Priory of Bolton in Craven, the lordship of Halton and the manors of Storithes, Hazlewood, Weighton, Brandon, Embsay, Eastby, Cononley, Rawdon, and Yeadon (formerly of Bolton Priory); Bramhope (hospital of St. Leonard in York) and Woodhouse & Appletreewick (Marton Priory).
  2. Whitaker, 12.
  3. Ibid. 335.

With these successive acquisitions, the Cliffords could now command the allegiance of almost the whole of Craven and were no less dominant in Westmorland. Eleven miles only, and those desolate and rugged moorland, separated their Craven from their Westmorland estates and it was here, astride the Pennines, amidst "Northeren thoughts that measures honnor by the acre"<sup>1</sup> that their influence was strongest.

The 2nd Earl sold many of the manors which did not lie close to his main estates in Westmorland, Craven and the East Riding. In the period of his heavy sales, Shalford Clifford in Surrey,<sup>2</sup> Stoke-on-Severn, Teambury and Eckington in Worcester and Bath-on-Wye in Hereford,<sup>3</sup> manors of the original de Clifford estates, passed out of the inheritance. In 1546,<sup>4</sup> he sold the former monastic manor of Bramhope, near Leeds. He also disposed of manors previously held by Bolton Priory which lay outside Craven: Brandon in 1549,<sup>5</sup> Rawdon and Yeadon in 1559,<sup>6</sup> Weighton in 1565.<sup>7</sup> Three of the manors which had been part of the Vesey estates were included in the sales; Barlby in 1553, Whyrethorp also in 1553<sup>8</sup> and in 1562<sup>9</sup> Brompton, though he reserved the £84 rent from that manor.

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1. The phrase is the 3rd Earl's (Whitaker, 357).
  2. L. and P., 19.i.80 no.64.
  3. B.M. Harl. 6177, f.47a.
  4. L. and P., 21.ii.200 no.50.
  5. Calendar of Patent Rolls, Edward VI, iii, 60.
  6. Yorkshire Fines, Tudor, I, 231.
  7. P.R.O. Index, Patent Rolls, 7 Eliz. pt.6.
  8. Yorks. Fines, Tudor, I, 171.
  9. Ibid. 258; C 54/2098.

In 1552, he sold his third part of the manor of Staveley in Derbyshire.<sup>1</sup> In 1560, he requested the Queen to grant to him in exchange for Hart and Hartlepool smaller parcels of land equal to its value of £120, which he might more easily sell "as well for the discharge of my Debtes & redemyng of my bondes".<sup>2</sup> This she refused to do and the ancient holding remained in the inheritance until the next generation.

The balance of the 2nd Earl's activities was to dispose of scattered and isolated manors in Yorkshire and elsewhere and to purchase lands adjacent to his Craven estates. At the expense of a probable fall in revenue he increased the efficiency of his estate administration. Amongst the "lands, leases & tythes to a great value"<sup>3</sup> which he purchased were the manors of Gargrave and Litton,<sup>4</sup> the moiety of Grassington,<sup>5</sup> lands in Scosthrop,<sup>6</sup> Sutton and Arncliffe,<sup>7</sup> all of them ~~API~~ being within Craven, and he also took the profits from a lease of eleven royal manors in

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1. Cal. Pat. Rolls. Ed. VI. iv. 273.
  2. S.P. 12/15/28.
  3. B.M. Harl. 6177, f.47a.
  4. Yorks. Fines. Tudor, I, 331, 176.
  5. Clay, Y.A.J., xviii, 383.
  6. Cal. Pat. Rolls, Eliz., ii. 139.
  7. Yorks. Fines. Tudor, I, 214, 232.

Westmorland, three in Yorkshire and two in Lancashire,  
granted to him for 21 years in 1554.<sup>1</sup>

It seems likely that the Earl's death interrupted his plans for making good the loss of the manors he had sold. In his will he provided for the payment of his debts and legacies out of certain manors assured to his executors, after which he declared "the som of money arisinge I will shalbe bestowed from tyme to tyme for purchasing<sup>2</sup> of landes, in consideration of such lands as I have sold". However, it was not the conscious effort of the 2nd Earl in his lifetime but the choice of a substantial heiress by his brother Sir Ingram Clifford and the latter's failure to produce an heir which provided the Cliffords with their next major acquisition of property.<sup>3</sup>

The value of the Clifford estates at the time of the 2nd Earl's death was estimated in the feodary survey taken in 1573 at £1,821.8.3<sup>4</sup><sub>2</sub> above reprises. This consisted of £1,092.17.0 for the Yorkshire estates; £580.5.6 for Westmorland; £24.5.9<sub>2</sub><sup>1</sup> for Cumberland; £120 for the manor of Hart in Durham and £4 for the rent of Cliffords Inn in the City of London. There is independent evidence to confirm the accuracy of the survey. The major part of the Yorkshire

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1. Cal. Pat. Rolls, Philip & Mary, 1. 117.

2. Clay, Y.A.J., xviii, 382.

3. See infra, pp. 16-17.

4. Wards 9/140 ff. 291-4. The details of the survey are given in Appendix I.

estates, including Skipton Castle, had been conveyed in trust for the benefit of Cumberland's heirs. The clear yearly value of these manors above all charges and reprises was given in the survey as £679.12.8<sup>1</sup>. Seven years later, the rental of the manors after deduction of charges and £172.2.4 rents reserved to the Earl of Northumberland, was £689.9.3<sup>1</sup>. The slight increase may well reflect a natural rise in the rents from the manors in the intervening years. The survey's figures can, therefore, be accepted as a reliable assessment of the yearly value of the 2nd Earl's estates at his death. In this instance, the valuation in the survey of the Earl's Yorkshire estates was identical with that given in the inquisition post mortem which preceded it.<sup>2</sup>

The survey was concerned with the rental only of the Clifford estates and not with the total yearly income from them. Where a substantial part of the revenue came from entry fines and casualties, as with the Cliffords',<sup>3</sup> the value of the estates would not be apparent from receipts of rents alone. The tenurial system, the condition of the tenantry and the capacity of the lord to exact by efficient estate organisation his full pecuniary rights would be factors vitally effecting the estate revenue as a whole. The survey

1. Skipton MS. A/29/3.

2. Wards 7/13/53 & 54. Clay Y.A.J. xviii, 385-6.

3. The tenurial system is discussed in Chapter IV, pp. 114-9

took no account of these. Unfortunately, there is no evidence for the total receipts from the estates until the seventeenth century. By then the estates had changed substantially. The only clear indication of the value of the 3rd Earl's inheritance, in consequence, is the yearly rental contained in the feodary survey.

This evidence, however, need not be left in isolation. A comparison of the assessments for liveries sued by the nobility indicates the relative standing of the 3rd Earl vis a vis his contemporaries. Although this evidence must be accepted with caution because of the known unreliability of the inquisitions post mortem<sup>1</sup> on which some of the livery assessments would be based, the assessments would seem to be, in the absence of definite information, a useful guide to the estate income of the nobility in this period. The 3rd Earl's assessment, £1,789.2.11<sup>11</sup>/<sub>24</sub>, approximated to the valuation in the feodary survey. Of the 18 Earls listed in the note of liveries, Cumberland was rated seventh, below the Earls of Derby, Pembroke, Oxford, Northumberland, Hertford and, possibly, Huntingdon, but higher than the remaining Earls including Shrewsbury, Rutland and Bedford, and the lesser nobility with the exception of Lord Rich.<sup>2</sup>

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1. On the deficiencies of the inquisitions post mortem, see Helen Miller, *The Early Tudor Peerage, 1485-1547*, M.A. London thesis, 1950, 110 et seq.
  2. B.M. Lansd. 75. no.29. cf. Cumberland's assessment with Derby's, £3,040; Pembroke's £2,691; Shrewsbury's £1,730, and Bedford's £1,274.

Although the relative wealth of the 3rd Earl may not be absolutely certain, it is clear that his was one of the richest inheritances when he entered his estates in 1579. He received directly from his father 46 manors, the moiety of another and other property besides, although the Dowager Countess held the 13 Westmorland manors as her jointure until 1581.<sup>1</sup> In addition, Cumberland possessed 4 manors with other lands in the East Riding, which his brother Francis<sup>2</sup> was to occupy on a life tenancy when he came of age.

These, however, were not the only estates inherited by the 3rd Earl and his brother. Before the Earl attained his majority, the death of his uncle Sir Ingram Clifford added his numerous manors to the big estates left by the 2nd Earl. Sir Ingram had married Anne Roucliffe, sole heiress of Brian Roucliffe Esq. of Stapleton, York, whose property included the Roucliffe moiety of the rich Plumptre inheritance in Yorkshire, Derbyshire and Nottinghamshire.<sup>3</sup> The reversion of Sir Ingram's lands had been vested in the 2nd Earl who in turn had devised it to his sons. Sir Ingram had also assured his possessions to them after the 2nd Earl's death "for the good love and zeale that I have allways had and borne

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1. For the list of manors, see Appendix I.
  2. The manors of Londesborough, Weighton, Brompton, Welham and Sutton with Malton and Broomfleet. They were worth £187.2.0 per annum in 1581. (Bolton MS. Bk.250).
  3. H. Speight, Upper Wharfedale, (1900), 437-8.

to that noble howse whereof I am descended".<sup>1</sup> He died in January 1578, the first of the Cliffords to exhibit the serious weakness of the male line in the century after their creation as Earls, the inability to produce legitimate sons who survived to inherit the estates.

On this occasion, the main Clifford inheritance was to benefit. Sir Ingram's estates were said to be "of the cleyr<sup>2</sup> yerely value of one thowsand powndes or more". The 3rd Earl's share consisted of four manors, two of them in Craven, and the moieties of five others; the other half of Grassington now being joined to the one his father had purchased.<sup>3</sup> He granted three of these manors, Cowthorpe, Nesfield and West Hall, to Dame Ursula, Sir Ingram's second wife and widow, as her jointure.<sup>4</sup> Francis Clifford received the moieties of 22 manors in Derbyshire and of 3 in Nottinghamshire. He may also have inherited seven manors in the East Riding, reversion to the 3rd Earl, which were mentioned in the feodary survey, but as there is no evidence that he did, it must be regarded as doubtful.<sup>5</sup> Even so, Francis was now in possession of

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1. Wards 7/13/53. Clay, *Y.A.I.*, xviii, 380.
  2. P.R.O. Star Chamber 5/C32/6.
  3. See Appendix I.
  4. Appleby MS. Book III, 145.
  5. See Appendix I.



considerable property in his own right, and it was increased in 1581 by his mother's bequest to him of some minor holdings in Craven and the tithe of Kirkby Thore in Westmorland.<sup>1</sup>

Unlike his forbears, the 3rd Earl was without qualification a northern Earl. The 2nd Earl had shed the Clifford estates and interests in the south.<sup>2</sup> Now, the 3rd Earl held manors only in Yorkshire, Westmorland, Cumberland and Durham. The Westmorland manors, concentrated near the main houses there, Brougham and Appleby, though the most ancient, were no longer the most important section of the estates. The constant acquisition of manors had built round Skipton a large, compact block of property, administered centrally from the principal residence, Skipton Castle.<sup>3</sup> It was to Skipton, to the household of the Dowager Countess of Cumberland, that the 3rd Earl and his bride travelled in the summer of 1577.

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1. Skipton MS. A/29/4.
  2. Except for Clifford's Inn in London, the rent of which was only £4. See Appendix I.
  3. The consolidation of possessions in this way, Mr. J.P. Cooper thinks, may have been a general development in the period 1540-1570 (Ec.H.R., 2nd ser. viii, 388 n.2.).

iii. The First Years of his Tenure, 1579-86.

If the 3rd Earl was now, in early manhood, reunited with his mother and kindred and welcomed in those regions which his family had long dominated, his young wife had for the first time left the friendly southern counties which had always been her home. It was not merely in the strange surroundings, bleak moorland and harsher climate that she found little to comfort her. She was separated from all she had hitherto known,

one servant rather for trust, than wit, about me, only acquainted with mee, in a country contrary to my religion, his mother and friends all separate in that opinion, himself not settled but carried away, with young mens opinions. <sup>1</sup>

Gradually she grew accustomed to the unfamiliar habits of those parts. The Dowager Countess promised that her whole family would be dutiful and was deemed conformable in matters of religion. <sup>2</sup> The Countess observed with delight how the Earl's attitude to her "turned from a strange manner and carriage to much and very much love and kindness known to all and most comfortable found to mee". <sup>3</sup>

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1. Leyfield Letter, Williamson, 286.
  2. B.M. Lansd. 30 f.157.
  3. Leyfield Letter, Williamson, 286.

After almost two years at Skipton the Earl came of age, on the 29th June 1579, and on the 28th January following he<sup>1</sup> was granted formal authority to enter his estates. When Westmorland fell to him on the death of the Dowager Countess in July 1581, he was in full possession of his inheritance. Soon after, his brother Francis also came of age and the East Riding manors now passed to him for the life tenure assigned to him in the 2nd Earl's will.

During the period of the 3rd Earl's residence in the north, the general trend towards the integration of the estates discernible under the first two Earls continued. Within a month of his mother's death, he purchased for £1,600 the manor of Wevendrewath in Westmorland which adjoined his principal residence there, Brougham Castle.<sup>2</sup> In the same year, he reached an agreement with William Nesfield for the purchase of Flasby, allowing Nesfield to remain in occupation during his life.<sup>3</sup> In 1582, he exchanged his manors of East and West Marton in Craven with Christopher Marton for Eshton, a larger property than Marton, at the head of the Aire valley,<sup>4</sup> bordering Flasby to the south and west.

Some of the problems of estate administration had diminished when the 2nd Earl disposed of the scattered lands

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1. P.R.O. Index, Patent Rolls, 22 Eliz. pt.6.
  2. C 54/1111.
  3. Whitaker, 242.
  4. Ibid. 90.

held by the Cliffords until that time. The inheritance from Sir Ingram to some extent recreated the task of integrating the whole to ensure full and prompt receipt of the revenue and the personal control by the Earl and his commissioners of the details of administration. It appears probable that the policy of selling minor and widely dispersed parts of the estates would have taken its normal course during the next few years. Cumberland's sales in 1582 and 1583 concerned his lands in Cumberland,<sup>1</sup> Sir Ingram's former property in Rotherham<sup>2</sup> and near Ripon, where the capital messuage of Studley was bought for £80 by his solicitor Anthony Wright.<sup>3</sup> Only in the purchase of Haughton Fields in Durham<sup>4</sup> did the Earl seem in these years to take a step not entirely in the logic of buying and selling for consolidation of the estates and he did, in fact, later sell this land, in 1586.<sup>5</sup>

The tempo of disposing of the outlying lands was hastened by a significant change in the Earl's mode of living. He had gradually assumed the rights and duties to which his peerage and wealth entitled him. In 1579, he began to<sup>6</sup> exercise his rights as hereditary Sheriff of Westmorland

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1. P.R.O. Index, Patent Rolls, 25 Eliz., pts.2,10; 26 Eliz., pts.5,7.
  2. Yorks Fines, Tudor, II, 187.
  3. C 54/1185.
  4. C54/1185.
  5. C 54/1252.
  6. P.R.O. Lists & Indexes IX, List of Sheriffs for England and Wales (1898), 151.

and in 1580 he was made Steward and Constable of Knaresborough,  
 a position the 2nd Earl had held.<sup>1</sup> In 1582, he became a  
 member of the Council of the North and in November of that  
 year was nominated to sit on the commission to enquire into  
 congregations and conventicles.<sup>2</sup> Within the next year,  
 however, the Earl forsook his country pleasures, his residence  
 at Skipton and the environment of his estates for the more  
 exciting and more demanding atmosphere of life at court.<sup>3</sup>

Cumberland soon established himself at court as a  
 nobleman of exceptional gifts. He was, his daughter tells us,

endued with many perfections of Nature befitting  
 so noble a personage as an excellent quicknesse of  
 wit and apprehension, an active and strong body  
 and an affable disposition and behaviour.<sup>4</sup>

In appearance no man was more impressive; and that in an age  
 when dignity in stature was enhanced by the fastidious  
 elegance of manly habit.<sup>5</sup> "In the exercises of Tilting,  
 Turning, and course of the ffield", his daughter declares,  
 "he did excell all the Nobility of his time".<sup>6</sup> It was as

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1. R. Somerville, History of the Duchy of Lancaster, Vol.I. 1265-1603, (1953), 523, 525.
  2. Williamson, 13.
  3. Leyfield Letter, Williamson, 287.
  4. Williamson, 276.
  5. See Nicholas Hilliard's miniature of the Earl, reputedly his finest, in Williamson, Frontispiece.
  6. Williamson, 17.

natural that the Queen should favour him as her Champion in succession to Sir Harry Lee as that his exploits in the field<sup>1</sup> should be a cause of jealousy in others.

The Earl's return to the south was marked at once by his pursuit of pleasures which were to be a cause of extravagance throughout his life. In May 1583 and in March of the following year, he entered into two wagers, the first with William Hodges Esq of Weston Underhedge Gloucestershire, the second, in which Francis Clifford was bound with him, with<sup>2</sup> Nicholas Moseley, a clothworker of London of Lancashire origin. In them, the Earl pledged to pay 200 marks to Hodges, £300 to Moseley within three months of notice being given at Lord Wharton's house in Westminster that

one George Gyfford of London Esq shall have been to the city of Constantinople, in Tracia in Grece and have made his retorne from there into England bringing with him a certificate or testimonial of his personal being at Constantinople.<sup>3</sup>

Whether Gifford accomplished the voyage and the Cliffords lost their wagers is not known.

In March 1584, shortly after borrowing £400, a sum he<sup>4</sup> did not repay for over three years, Cumberland was with Warwick, Pembroke and Essex, the Howards, Lord Chandos and other eminent persons at a race at the Furseys, near Harnham Hall, and won a golden bell valued at £50 given by the Mayor

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1. H.M.C. Twelfth Report, App. IV, 160, 178.
  2. B.B. Orridge, Some Account of the Citizens of London and their Rulers, 1060-1867, (1867), 232, n.211.
  3. C54/1170, 1198.
  4. C54/1196.

and city of Salisbury.<sup>1</sup> Francis Clifford accompanied the Earl constantly and was at hand for the Earl to turn to when his own purse was empty. Amongst the debts he still owed Francis in 1587, debts which had accumulated since 1583, were sums loaned to him for card playing, money lent him at Newmarket, and more at Bishopthorpe "to play at Bowles".<sup>2</sup>

Cumberland's fame as a courtier, his prowess in arms, his mastery of "fair speech and of dainty conceit and compliment"<sup>3</sup> could not sustain his presence at court; more money was required as his expences swelled till they exceeded the means of even his enviable fortune. The strain of living above his means becomes increasingly obvious in his estate dealings after 1583. He now began to sell land for richer living rather than ease of administration. The parts of the estates disposed of were those which lay some distance from the main Clifford properties. Consequently, the only change from the estate policy hitherto followed was that the Earl bought no new property to replace the lands sold. By 1586, however, he had not only sold land but was faced with a further loss of property to meet the large debts which he had also accumulated.

The early sales were confined to Sir Ingram Clifford's property in Derbyshire. Minor sales were negotiated there

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1. H.M.C. Various Coll. IV, (1907), 229.
  2. Skipton MS. A/29/4
  3. Williamson, 19.

in 1583,<sup>1</sup> but in June 1584 the Earl and his brother authorised their commissioners to sell all the Derbyshire estates. Immediate sales realised almost £3,000 between 1584 and 1586, and by 1586 the greater part of the Derbyshire manors had been sold.<sup>2</sup> These manors were Francis Clifford's, held in his own right, but the initiative in the sales came from the Earl and he benefited from them. Here is an early instance of his dominance over his younger brother which is evident throughout his life. The Earl, however, later satisfied Clifford for at least £1,169 which he owed him on these sales<sup>3</sup> and when Clifford disposed of the rest of the Derbyshire and Nottinghamshire manors, after 1586, he did so on his own initiative and for his benefit, not the Earl's.<sup>4</sup>

There was one unhappy consequence for Clifford of the Earl's pressure to sell the Derbyshire property. The Countess of Shrewsbury, who already held Edensor on an 80 years' lease bought to endow her son Henry Cavendish, refused to buy it at the "very unreasonable price" which Cumberland and Clifford demanded. Her attitude involved Clifford in a dispute with her which lasted twenty years and was only ended,<sup>5</sup> after a Star Chamber suit, by an award in 1605.<sup>6</sup>

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1. B.M. Add. 6707, f.18b.

2. B.M. Add. 6668, f. 449a et seq.

3. Skipton MS. A/29/4.

4. E.g. Renalton in Nottinghamshire for £1,200 in 1588 (C54/1324).

5. Star Chamber 5/C32/6.

6. C 54/1799.



By the summer of 1585 the Countess of Cumberland had begun to complain of the debts the Earl was incurring.<sup>1</sup> From this time the Earl raised money with increasing signs of urgency, resorting to more sales of land and now also to mortgages and loans. The three manors held in jointure by Dame Ursula Clifford had reverted to him. Nesfield and West Hall he retained as accessions to his great block of estates in Craven. The third manor, Cowthorpe, lay near Wetherby. In the two years previous, the Earl had taken the opportunity to buy minor portions of the manor alienated at some earlier date.<sup>2</sup> The whole of the manor was now in his possession and in June 1585 he mortgaged it for £1,500.<sup>3</sup>

In July he empowered his commissioners to sell his manors of Hart and Maltby and his other land at Welham, Sutton Broomfleet, Staynton, Hutton and Idle.<sup>4</sup> Unlike Cowthorpe and the Derbyshire lands, these were not all recent acquisitions. Hart and Maltby had been part of the earliest holdings of the 1st Lord Clifford. Welham, Sutton and Broomfleet were the former Vesey estates now held by Francis Clifford in his life tenancy. Since he was one of the commissioners, he must have been willing to sell them, though only Broomfleet was sold and the Earl later satisfied Clifford for the £200 he received from it.<sup>5</sup> The other property the Earl had inherited from Sir Ingram Clifford.

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1. Williamson, 298.
  2. H.M.C. Eighth Report, App. I, (1881), 272.
  3. C54/1238.
  4. Bolton MS. Sundry Paper, 256.
  5. Skipton MS. A/20/4.

All these lands except Welham and Sutton were disposed of in the next two years. The first step was in August 1585,<sup>1</sup> when the Earl mortgaged Maltby for £1,000. In November, he<sup>2</sup> sold the moiety of the manor of Idle for at least £400. But this sale did not satisfy the Earl's need of ready money in the closing weeks of 1585. On the 27th November, he<sup>3</sup> borrowed £400 for a year; on the 7th December, £900<sup>4</sup> for eight months and on the last day of the year £700.<sup>5</sup> By this time, the Countess of Cumberland had returned to Skipton, her emotions in conflict; her joy at the birth of her second child and the good health of her first tempered with sorrow at her father's death, her brother's fatal excursion on the<sup>6</sup> Border and her husband's continuing profligacy.

A short respite in the Earl's sales of land was broken in March 1586. He had come to an agreement for the sale of Maltby but first had to arrange for the mortgagee, Humfrey Weld, to reconvey the manor to him. This was done: Cumberland then sold the manor house to his solicitor Anthony Wright<sup>7</sup> for £320<sup>8</sup> and the manor itself to Edward Stanhope for £1,480.

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1. C 54/1236.
  2. Yorks. Fines, Tudor, III, 43.
  3. C 54/1247.
  4. C 54/1248.
  5. C 54/1250.
  6. Leyfield Letter, Williamson, 287.
  7. C 54/1237.
  8. C 54/1240.

Apart from the £1,000 he had received earlier on the mortgage, Cumberland probably received £750 more, satisfying Weld for the mortgage money and six months interest out of the full sale price of £1,800.

This sale lessened the Earl's known debts by £1,000. Even so, they still amounted to over £5,000. To his brother<sup>1</sup> he owed £1,169 for the lands sold in Derbyshire; on the mortgage of Cowthorpe, £1,500; for the loans raised in February 1584 and in the closing weeks of 1585, £2,400. On all except his brother's debt he was paying the statutory interest of ten per cent.

In April 1586, he increased his debts further. He<sup>2</sup> redeemed Cowthorpe only to pledge it again on the 20th April for a bigger sum, £2,500.<sup>3</sup> In addition, he mortgaged on the 19th April his manor of Hart for £3,000.<sup>4</sup> Thus, the Earl's known debts had now risen to £9,000 and the interest on them amounted to £790 a year. Not all his debts were recorded, so that his total indebtedness may well have been much higher. He had for instance mortgaged some of the lands in Derbyshire, probably in 1585, to the Countess of Shrewsbury for £500;

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1. Skipton MS. A/29/4.
  2. C 54/1238.
  3. C 54/1263.
  4. C 54/1250.

others to the Earl of Shrewsbury for a similar amount.<sup>1</sup>  
 There would be many smaller debts, such as the £20 borrowed  
 from the Earl of Northumberland on which Cumberland was then  
 paying interest.<sup>2</sup>

It was this situation which prompted the Earl to seek  
 in spectacular fashion the means to restore his fortunes.  
 His Countess later lamented that in the few months after his  
 return to court,

he lost with many goings back and forwards and  
 turnings many for the worse, but few for the  
 better, till we had wasted our land and sub-  
 stance, which in hope of better fortune of the  
 sea, than we had of the land, he ventur'd many  
 thousands which we saw come empty home.<sup>3</sup>

There is no doubt, therefore, that the attraction of plunder  
 was a compelling motive in Cumberland's decision to invest  
 in privateering. Had he wished, he could have sought a less  
 drastic remedy, as his father and grandfather had done before  
 him. Yet parsimony, never an attractive prospect, would  
 doubtless have appealed even less to one of impulsive nature  
 like the Earl, who found in the delight of court life a  
 peculiar satisfaction of his natural endowments and personal

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1. Skipton MS. A/29/4.
  2. Batho, Household Accounts of the Ninth Earl of Northumberland, 395.
  3. Leyfield Letter, Williamson, 287.

tastes. It would have eliminated the lust for honour and the element of personal risk which epitomised Cumberland's temperament and not less the character of the age.

Let us, however, consider the extent to which the inheritance had suffered. The Earl had sold the majority of the manors in Derbyshire; but these were his brother's property, not his own. The purchase of Wevendreath in Westmorland more than compensated for sales of land in Cumberland. In Craven, the manors of Eshton and Flasby were of greater value than the Marton manors they replaced. The Earl's principal estates were, therefore, unimpaired. Indeed, they had been extended by his early dealings.

The encumbrances lay elsewhere. Maltby had been sold and several lesser properties with it. Cowthorpe and Hart were mortgaged for £5,500. The Earl was in debt for an additional £3,500 to his brother and certain London merchants. Even so, the loss in terms of manors that he would have been forced to concede in order to repay these debts could hardly have effected his Craven and Westmorland estates. The debt to Francis Clifford was satisfied in 1587 by granting him the reversion of Londesborough and the East Riding estates which he held for life.<sup>1</sup> Cumberland would, in consequence, only have needed to relinquish Cowthorpe and Hart, both large manors, with probably a third of similar

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1. Skipton MS. A/29/4; P.R.O. Salisbury MS. 118/126.

size to reduce the debts to within easily manageable proportions, even if his unknown debts were large. The course the Earl adopted, as will be seen, not only resulted in the loss of the manors it was his intention to save, but compelled him in addition to surrender a far greater portion of the inheritance than was at stake in 1586.

CHAPTER IITHE 3RD EARL'S PRIVATEERING CAREER, 1586-1600

The twelve major privateering expeditions equipped by the 3rd Earl, in six of which he sailed in person, have been described by his biographer, G.C. Williamson. This chapter does not attempt, therefore, to give a detailed account of the voyages, although the survey of the Earl's privateering activities is more complete than that given by Williamson.

The primary concern is with the general trend of the Earl's career and the impact of his activities on his fortunes as revealed by the literary sources and the evidence of his financial dealings. These are aspects which Williamson largely ignored. The literary and financial details, besides indicating the Earl's contribution to Elizabethan sea-warfare and his approach to the problem of financing his voyages, are complementary sources and the impressions obtained from them of the course of his career are identical. His career, which began in 1586 and effectively ended in 1600, can be divided into four periods. Each period is discussed separately.

### 1. His First Ventures, 1586-1588

The 3rd Earl's attraction to privateering as a speedy method of acquiring wealth through plunder is evident in the aim of his first enterprise. This was to emulate Drake's great and profitable voyage of the previous decade; to circumnavigate the world and return with a share of the Spanish treasure from the Americas. Two of the four ships in the fleet, the Red Dragon of 260 tons and the Clifford of 130 tons, were provided by Cumberland. The other vessels were the Roe and Sir Walter Raleigh's pinnace the Dorothy.<sup>1</sup>

The cost of equipping his vessels meant a further increase in the Earl's financial commitments which is reflected in his recorded debts. He borrowed £500 on the 8th June,<sup>2</sup> £1,000 on the 17th,<sup>3</sup> £1,000 on the 30th<sup>4</sup> and on the same day<sup>5</sup> mortgaged his manor of Gargrave for two years for £1,000. Although on the 18th he repaid the £900 borrowed in the previous December,<sup>6</sup> his debts had risen at the end of June by £2,600.

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1. Williamson, 27-8.
  2. C 54/1250.
  3. C 54/1248.
  4. C 54/1249.
  5. C 54/1244.
  6. C 54/1248.



Cumberland was aware that whatever success the fleet might have it could in no way effect his immediate financial position and the problem of satisfying his creditors for the debts previously incurred and shortly to fall due. The voyage might last two years or more (significantly the period of the Gargrave mortgage), but in September the Earl would require £5,500 plus interest to redeem his manors of Hart and Cowthorpe.<sup>1</sup> His only hope was to extend his credit until his ships returned home with their expected profits.

Some time earlier he had requested the Queen to bestow on him some benefit which would demonstrate her good opinion of him and make him better able to do her any service she might demand of him.<sup>2</sup> In response, the Queen had granted him the manor of Brancepeth in Durham,<sup>3</sup> but by September the Earl realised that he could not obtain the benefit from the gift that he had expected. He urgently renewed his plea for financial help, writing to Burghley on the 23rd

I now most earnestly desier that it would please hir Majestie to lend me tenne thousande pound.  
I will pay it agayne by a thousand pounde a yeare,  
and for the assurance ether paune suche land as your  
Lordship shall lycke, or putt soe many jentellmen  
in bonde as shall be thought sufficient, and also  
resine up agayne her late gifte, which wilbe more  
benefit to her then the lone of mony canbe, and more

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1. See supra, Chapter I, p. 28.
  2. Williamson, 34.
  3. C 66/1287.

profitt to me than tooe suche sutes, my dayes of payement beinge soe neare, and the forfeitures greate, which I shall faule into, if I be not relived by your Lordship's good meanes in this, as I thyncke, my resonable sute.<sup>1</sup>

Burghley, not surprisingly, did not consider it a reasonable suit. The failure of the Earl's request marks the end of the early period of extravagance. His credit, which with sales had maintained his income at a level consistent with his expenditure, had for several months been overstretched and now collapsed. He was unable to redeem Hart and Cowthorpe and they passed out of his possession.

Although the ships sent out by the Earl ranged widely about the West African coast and the coast of Brazil, they failed to pass the Straits of Magellan. They returned to England on the 29th September 1586 "after an unprofitable and unfortunate voyage".<sup>2</sup> The Earl's first privateering venture thus failed to recover even the cost of equipping the vessels, let alone gain the plunder that would restore his fortunes. Cumberland undertook the enterprise in circumstances of risk which closely resembled a reckless gamble. Not for the last time in his career it was a gamble which failed.

The intensification of the sea warfare with Spain after

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1. Williamson, 34.
  2. Ibid. 28-30.

1586 allowed Cumberland to turn his energy and enthusiasm towards worthier objectives than hitherto. In June 1587, he was named general of a fleet which was being prepared to relieve Drake at Dadiz, but it did not sail.<sup>1</sup> In July, he stole away from court with Robert Carey to help defend Sluys against Parma and then, seeing Sluys was lost, took ship to the Low Countries where he visited Leicester. In 1588, his ship the Samson was in the fleet that fought the Armada. He himself sailed in the Bonaventure<sup>2</sup> and was one of the eight commanders of the English fleet who pledged themselves to pursue the Spanish fleet clear of the English coast.<sup>3</sup> It was Cumberland and Carey who brought news of the victory at Gravelines to the Queen in her camp at <sup>4</sup>Tilbury.

Although there was no concerted effort to complete the ruin of the Armada, such as Palavicino proposed with<sup>5</sup> Cumberland as general and Frobisher his lieutenant, the Earl was granted a commission to renew his private operations against the Spaniards. He equipped one of the Queen's ships, the Golden Lion of 560 tons, "at his own Charge and adventure",

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1. Williamson, 31.
  2. Ibid, 36-7.
  3. A.L. Rowse, The Expansion of Elizabethan England, (1955) illustration facing p.272.
  4. Williamson, 37.
  5. Cal.S.P. Dom.. Eliz., 1581-1590, CCxv, 6.

and sailed on October 4th, for the service of the realm<sup>1</sup>  
and, not less, for the recovery of his former losses.

This voyage, which began well with the capture of a Dunkirk ship en route to Spain, came to a sudden end before more Dunkirkers could be intercepted, for a storm of such intensity blew up that only by casting<sup>2</sup> the main mast overboard could Cumberland save his ship.

Like the first, this second voyage brought the Earl no financial satisfaction. His debts which earlier had fallen with<sup>3</sup> the repayment of £700 in December 1586<sup>4</sup> and £800 in 1587, again increased in 1588 despite the receipt of £1,500, raised in May by granting long leases of 5,000 years to 27 tenants on his Craven manors.<sup>5</sup> For, in February, the Earl mortgaged<sup>6</sup> Nesfield and West Hall for £1,800 and although he redeemed<sup>7</sup> Gargrave in June he also mortgaged his recently acquired manor of Brancepeth for £2,000. The agreement for the mortgage of Brancepeth required Cumberland to repay the debt by the 23rd December. If not, the mortgagees were to pay him<sup>8</sup> a further £500 for the absolute purchase of the manor. To

1. Williamson, 38. Cal.S.P.Dom., Eliz., 1581-1590, CCxvii, 7.
2. Williamson, 38-9.
3. C 54/1250.
4. C 54/1247, 1196.
5. Bolton MSS. Bks. 265, 266, passim.
6. Yorks Fines, Tudor, III, 88; Lambeth Palace MSS. vol.xiv, 707. m.60.
7. C 54/1296.
8. C 54/1288.

the failure of the Earl's second enterprise to return with profit may be attributed his inability to redeem Brancepeth, which he was compelled to surrender as the price of his continued ill-success.

#### 11. The Period of Success, 1589-1594.

The first phase of the 3rd Earl's privateering ended in 1588. Though unprofitable, his activities had already won him a reputation as "the English lord that doth great harm to the Spanish at sea".<sup>1</sup> Yet, of greater satisfaction to the Earl than his reputation was the fulfilment of his desire to sail in person, thus confirming his Countess' fears that "having lov'd so many changes .... my lord would to the sea himself".<sup>2</sup>

Undeterred by his failures, Cumberland prepared a third enterprise for 1589. Its principal object was to intercept the annual flotas from the East and West Indies. The Earl's fleet consisted of the Queen's ship Victory of 694 tons, his own Meg and Margaret, both of 60 tons, and a caravel of 40 tons. Cumberland sailed with these in June and cruised off the coast of Spain where he captured several vessels before crossing to the Azores where other ships, including one of Raleigh's and another captained by John Davis the famous

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1. Williamson, 39.

2. Leyfield Letter, Williamson, 287.

navigator, joined him.<sup>1</sup>

The privateers had a series of successful adventures but they failed in their main task for although they remained about the islands throughout August, September and October, both the East Indian carracks and the West Indian plate fleet managed to evade them. Inexperience and bad provisioning were the reasons for the failure, since the need to search for food and water left them incapable of maintaining a constant vigil.<sup>2</sup> Nevertheless, this venture, Cheyney has said, despite its lost opportunities, "must be considered one of the most successful, as it was one of the most representative of the voyages of attack upon the commerce and outlying possessions of Spain."<sup>3</sup>

Cumberland's fleet took in all fourteen prizes which realised a profit said to be twice the cost of equipping the ships. Frobisher, sailing in September, captured four of the West Indiamen which had taken refuge in Angra to escape Cumberland, lost two of them, but made a handsome profit on the others. Cumberland had the misfortune to lose the one stray West Indiaman he had captured, worth £100,000, on the rocks off Plymouth in the great storm that scattered his fleet when all but within sight of shore.<sup>4</sup> The voyage ended

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1. Williamson, 41 et seq.
  2. J.A. Williamson, Sir John Hawkins, (Oxford, 1927), 453-4.
  3. E.P. Cheyney, A History of England from the Defeat of the Armada to the Death of Elizabeth, (1914), I, 527.
  4. Ibid. 524-7. For details of the prizes, see also Andrews 337.

in great suffering. On his return, in January 1590, Cumberland wrote to his Countess;

I thank God I am with my ship and company lately arrived and, though we have tasted some extremities, yet myself was never better, nor I think never any lost fewer men .... What the nature of those things I have brought home, I yet know not, but I look they should discharge all my debts,<sup>1</sup> though I desire not to have it thought so.<sup>1</sup>

They did not, in fact, repay all his debts, but they enabled him to recover his manor of Brancepeth which the mortgagees returned to him on repayment of the capital and the interest for the whole period since the original mortgage in June 1588.<sup>2</sup> In effect, the manor had remained in mortgage in spite of the Earl's failure to redeem in December 1588. The arrangement is interesting not only as indicative of the success of Cumberland's third enterprise, but as the first of only two occasions when his profits from privateering diminished the total of his recorded debts. They now fell from £6,800, the level since December 1588, to £4,300.<sup>3</sup>

Cumberland was in London in the spring of 1590 when the plans were completed for the expedition under Hawkins and Frobisher which was to attempt officially the interception of that year's sailings of the treasure fleets to Spain; as the Earl had sought to do in 1589.<sup>4</sup> He wrote to the Countess

1. Williamson, 65.
2. C 54/1399.
3. See *infra*, Table B.
4. Cheyney, *op.cit.* I, 529-530.

on the 1st April that the preparations for the voyage were going ahead and that despite great competition for the position of Vice-Admiral the Lord Admiral had stood by him firmly and kept him in it. The Queen, he said, had welcomed him most kindly and, having much to discuss with him, had requested him to come to her again.<sup>1</sup>

Despite the restricted opportunities for smaller enterprises because of the royal expedition, Cumberland sent out two ships, the Robert and the Delight. Privateering separately, both took valuable prizes, worth probably £3,640.<sup>2</sup>

The major effort of 1590 proved a disappointment. The Spaniards had warning of the preparations and instructed the flotas not to sail. In consequence, there was even greater incentive to make spoil of the huge shipments of treasure expected in 1591.<sup>3</sup> Cumberland and Raleigh considered before Christmas 1590 a joint attack on the carracks wintering in the West Indies but it did not materialise.<sup>4</sup> At this time, there was much pressure on the Earl to be content with the honour he had won for himself. His daughter has explained that although the miseries and misadventures of the preceeding voyage were enough to have deterred the Earl from further adventure, his desire for

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1. Williamson, 66.
  2. Andrews, 265, 281.
  3. Cheyney, op.cit. I, 533.
  4. Williamson, 66.n.1.



profit and honour in the end was such that in spite of the entreaties of many of his friends he could not be dissuaded<sup>1</sup> from attempting another voyage.

It was the Earl's intention on this, his fourth voyage to put to sea before the royal fleet under Lord Thomas Howard left port for the Azores in April.<sup>2</sup> But Cumberland's<sup>3</sup> was a costly expedition. In February, he borrowed £2,500. On March 22nd it was reported that he was still detained for "want of money" since "a great part of the preparation is at his own Charges".<sup>4</sup> On the next day, he again mortgaged Brancepeth, this time for £3,000. On this occasion, the manor remained continuously in mortgage for six years, until<sup>5</sup> May 1597.

When, in May, the Earl finally weighed anchor, his fleet was the largest he had so far equipped. The Queen's ship the Garland of 600 tons which he had borrowed was accompanied by his own ships the Samson of 260 tons, the Allagarta of 80 tons, a French vessel which he had captured in 1589, his frigate the Discovery, and three ships sent out by London merchants, the Golden Noble of 160 tons, the Golden Dragon<sup>6</sup> of 150 tons and the Moonshine of 50 tons.

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1. Williamson, 70.
  2. See Cheyney, op.cit. I, 533.
  3. L.C. 4/192/40.
  4. Williamson, 77.
  5. C 54/1399.
  6. Williamson, 70-71; Andrews, 260.

Cumberland and Howard may have acted in concert in this year's enterprises with Cumberland's strong force harrying shipping off the Spanish coast whilst Howard waited<sup>1</sup> in the Azores with the main fleet to capture the flotas. Cumberland was successful at first. Four well-laden hulks, Hamburg ships, were taken and sent home under the escort of Captain Norton and the Samson. The Earl was confident that, if well-handled, they would make him "a favour for the charge of this voyage."<sup>2</sup> Two other ships laden with sugar were taken and sunk and the cargo of a third, a wine ship, was divided amongst the privateers. Several Dutch ships carrying spices for the Portuguese were captured. Monson was put in charge of them and they were sent home with the Golden Noble guarding them.<sup>3</sup>

This voyage, which had begun so propitiously, ended less happily. The Golden Noble failed in its duties and allowed six Spanish galleons to recapture the Dutch vessels and with them the unfortunate Monson. The Garland was damaged in a storm and became separated from the Golden Dragon.<sup>4</sup> Thus the Earl, says Purchas, being much weakened and his own ship the Garland sluggish in sail and not well conditioned, was forced "without better proffitt or success"

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1. G. Robinson, 'The Loss of H.M.S. Revenge, 1591', The Mariner's Mirror, vol.38 (Cambridge, 1952), 149.
  2. Williamson, 79; B.M. Add. 12,506, f.233.
  3. Williamson, 72-3.
  4. Ibid. 73-4.

to return to England.<sup>1</sup> Before he did so, he managed to dispatch the Moonshine to Howard, warning him of the great Spanish fleet under Bazan moving from Ferrol to the Azores. Because of this timely action, all but one of Howard's ships, Grenville in the Revenge,<sup>2</sup> managed to escape. The Garland reached England in September.

This fourth voyage, though undertaken against the advice of the Earl's friends, delayed at its inception by the cost of victualling and partly ruined by the inefficiency of the Golden Noble, was not the complete failure that some writers have considered it to have been.<sup>3</sup> The cargoes of the Hamburg ships were declared contraband and they were acknowledged lawful prizes. Another ship, a sugar ship from Brazil,<sup>4</sup> was also landed.

Nevertheless, the voyage cannot have brought the Earl much profit, if indeed he made a profit, which seems unlikely, for in 1591 his debts increased appreciably.<sup>5</sup> For consolation, he could look to the Queen's high regard for him. On his return, she wrote to him,

It may seeme strange to you, that we shold once  
vouchsafe to troble our thoghts with any Care, for  
any Person of Rogish Condition, being alwaies disposed

- 
1. Ibid. 76.
  2. Ibid. 74-5.
  3. Cf. Williamson, 72-4; Cheyney, op.cit. 536.
  4. Andrews, 336.
  5. See Table B.

rather to comawnd others, to Chasten men of that Profession. But such is our Pleasure at this Tyme .....as we ar well content, to take occasion by our letters, to express our great desire to heare of your well doing. <sup>1</sup>

The limited success of the 1591 voyage did not discourage the Earl from continuing his privateering career. He prepared another expedition in the following year, but this time he decided against using a royal ship as his principal vessel because of the inconvenience caused by the Queen's orders that the safety of her ships should not be imperilled by laying alongside Spanish ships in order to board. The Earl, therefore, borrowed and equipped the Tiger of 600 tons from St. Malo; a quixotic choice, since he had constantly preyed on merchantmen from that port. The fleet led by the Tiger again included the Samson, the Golden Noble, the Moonshine, another vessel of 50 tons like the Moonshine,<sup>2</sup> and the Discovery.

The Earl left Weymouth with his fleet in March and put into Plymouth harbour. His intention this time was to go to the West Indies and he had sent ahead from Weymouth two of his smaller ships as a scouting party with Captain John Middleton in the Moonshine in command.<sup>3</sup> Middleton reached the West Indies in June and not only had a successful cruise<sup>4</sup> but also probably wintered there.

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1. Williamson, Plate X, pp.76-7.
  2. Ibid. 83; I.A. Wright (Ed.), Further English Voyages To Spanish America 1583-1594, (Hakluyt Society, Ser.II, vol. xcix, 1951), 290, 293.
  3. Wright, op.cit. lxxxix, xci, 293.
  4. Ibid. xc, xci, 303.

The Earl's plan to follow the Moonshine with his main force was frustrated by continuous bad weather and contrary winds which prevented his ships from leaving Plymouth. After three months of inactivity he lost heart and left the fleet in the charge of Captain Norton with instructions to sail to the Azores as soon as conditions became favourable. It was a decision that Cumberland was for long to regret.

Norton reached Finisterre and engaged two Spanish galleons, but could not hold them. In the action the Golden Noble was badly shot about, but recovered, captured an argosy and returned to port with it. The rest of the fleet reached the Azores and sighted a carrack, the Santa Croce, heading towards Terceira. Almost at once, they fell in with Sir John Burroughs' fleet which, led by the Queen's warships Foresight and Garland and including vessels owned by Raleigh and various London merchants, had originally been sent out to attack Panama with Raleigh in command.

Together Norton and Burroughs went in pursuit of the Santa Croce. They found it in flames, wrecked on the island of Flores after a storm. They managed to drive away the islanders and secure much of the cargo which the carrack had unladen before it caught fire.

This success was happy enough, but a richer prize, the 1,600 ton Madre de Dios, one of the greatest of the East Indian carracks, was known to be in the vicinity. The commanders of the English vessels met in council on the

island and devised a plan to capture it. In the fierce battle for the carrack that ensued, Cumberland's ships the Tiger and the Samson were the last to join, but they made the capture safe when it was still undecided.<sup>1</sup> It was, in consequence, the Tiger and the Samson that escorted the carrack to Dartmouth and in the undignified scramble for spoils that followed, the Earl's ships had "the cheefest<sup>2</sup> pillage".

Cumberland's temporary loss of confidence proved doubly unfortunate. By the terms of his patent, he alone was entitled to a share of prizes taken and only so if he was in command in person. If he had commanded, if his strict but just control had prevented the sailors from relieving the carrack of the greater part of its burden of precious stones and reducing its value from an estimated £500,000 to<sup>3</sup> a certain £140,000, his would have been a fabulous reward. Instead, he had no choice but to compete for a share in the profit and that dependent only on the bounty of the Queen. The bickering and legal contention were not to his liking. "Long before this", he told his Countess on the 15th September, "I had writ to thee,

if I had not been so troubled with this exceedingly great business, as twenty times I have wished the ship had never been taken, the spoil in her hath been unreasonable, yet there is so much left as I have will make me a free man.<sup>4</sup>

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1. Williamson, 83-6.

2. Ibid. 90.

3. Ibid. 93, 95.

4. Ibid. 111.

But he could not stand aside and expect satisfaction when constant soliciting of his claims alone would give him a just reward for his endeavours. Not only him. The men who served in his ship "who went for shares were wonderfully discontented fearing that the Earl losing all, they should have nothing."<sup>1</sup> His persistence warranted a rebuke from Burghley, to which he replied

My Lord, I protest, my heart is free from the poison of ambitious humours, only the desire to relieve my friends and servants in danger of bonds for me, my credit from dying and my house from falling, kept but in the estate it was left me which God knows in this time will hardly maintain an Earl and for more (if God send it) I will ever be ready to spend it and my life (in any cause you shall wish or give allowance to) for the gain of Her Majesty and my country.<sup>2</sup>

Neither the Queen nor Burghley was eager to dispose of such a windfall to the Exchequer as the carrack had provided. It was left to Sir John Fortescue, Chancellor of the Exchequer, to remonstrate with them that

It were utterly to overthrow all service if due regard were not had of my Lord of Cumberland and Sir Walter Raleigh, with the rest of the Adventurers, who would never be induced to further adventure if they were not princely considered of.<sup>3</sup>

Cumberland was eventually granted £36,000, the largest share after the Crown's. In this sum was included the pillage taken

1. Ibid. 96.
2. Ibid. 112.
3. Ibid. 94.

by his sailors, which he was to recover, but their wages were separately accounted for.<sup>1</sup> Cumberland certainly pursued one of the main culprits, Abraham Cocke, captain of the Samson, who had left his ship after purloining many of the goods of the carrack and fled to the Golden Dragon, a ship partly owned by his father-in-law, William Bygate. Cocke was called upon to answer for the goods,<sup>2</sup> following proceedings initiated by Cumberland in Chancery.

What profit the Earl himself received from the capture of the Madre de Dios it is impossible to say. The fleet he and his partners had sent out cost £19,000.<sup>3</sup> Thus the profit which on paper at least they had to share was £17,000. How much of this large sum they lost through failure to recover the pillage is open to conjecture. The Lord Admiral would also claim his tenths. One fact is certain. Cumberland was able for the second and last time in his privateering career to lessen his recorded debts. These fell, though only by £2,000, when he redeemed Nesfield in May 1593.<sup>4</sup> He had, moreover, money to spare; for, curiously since his own debts were so heavy, he himself turned creditor and lent the Earl of Essex £1,207 - without demanding interest!<sup>5</sup>

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1. Acts of the Privy Council, 1592, 219.
  2. P.R.O. C 38/1, (Chancery Masters Reports), Earl of Cumberland v. Bygate. Carew. 25 Jan. 1593. Dr.W.J. Jones has kindly supplied this reference.
  3. Williamson, 94.
  4. Yorks. Fines. Tudor, III, 191. See also Table B.
  5. Devereux Papers, vol.III, f.72. I am indebted to Miss Caroline Merion for this entry from the Devereux Papers at Longleat.



The success of his 1592 fleet encouraged the Earl to invest in another privateering enterprise in 1593. He resolved to sail once again in person, "for he sawe all his actions were mys governed and evill carried" by the men he had employed in the previous year.<sup>1</sup> He obtained the use of two royal ships, the Lion and the Bonaventure, both of 560 tons,<sup>2</sup> equipped them and his own ships the Anthony, of 250 tons, the Pilgrim of 100 tons and the Discovery.<sup>3</sup> Two other ships, names unknown, completed the fleet. Shortly before they set sail, Cumberland increased his recorded debts by borrowing £1,200.<sup>4</sup> The special commission granted to Cumberland on the 28th May reserved to the Queen out of any prizes taken the tonnage on her ships and the customary tenths of the Lord Admiral. The rest of the profit was to be distributed between the Earl and those who invested with him.<sup>5</sup>

Cumberland sailed with the fleet towards the Azores. He captured two rich ships from St Malo and a Spanish sugar ship.<sup>6</sup> The cruise was then suddenly cut short. The Earl was taken ill and his recovery was despaired of until Captain Monson, at great risk, secured a cow from the island of Corvo to supply him with milk; an act which probably

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1. Williamson, 113.
  2. Ibid. 118. Andrews (p.375) gives the Anthony's size as 120 tons.
  3. Williamson, 114.
  4. L.C. 4/192/248; C 54/1458.
  5. T. Rymer, Foedera, (1735-1745), 7.i, 120-1.
  6. Williamson, 113, 115.

saved the Earl's life. "Valuing the earl's safety above<sup>1</sup> all the profit of the voyage", the ships hastened home. Without this mishap, the voyage might have been far more successful. Even so, it was the most profitable of all the ventures the Earl undertook, for the receipts from the prizes were more than treble the expense of the fleet.<sup>2</sup>

Since the business in the Azores had ended prematurely, Cumberland's ships were ready to be employed elsewhere. In August, he dispatched three of them, the Anthony, the Pilgrim and the Discovery, direct to the West Indies. At Margarita island their plunder included £2,000 worth of pearls and they received 2,000 ducats worth more as ransom. Amongst the captures they brought home were a frigate taken at San Domingo and a 250 ton vessel from the Bay of Honduras.

Cumberland's privateers on this voyage caused the Spanish such consternation that a squadron was sent off to pursue them. It reached the West Indies at the time that the Earl's ships entered Plymouth in May 1594 amidst great rejoicing.<sup>3</sup> Their haul of prizes was worth £10,350, besides<sup>4</sup> sugar, gold, pearls and emeralds. This was the third successive venture in which Cumberland's privateering had shown a substantial profit.

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1. Ibid. 116.

2. Ibid. 113, 115.

3. Ibid. 118-120.

4. Andrews, 265.

The return of Cumberland's seventh fleet marks the close of the second phase in his privateering career. This was the period in which he achieved his greatest, indeed his only real, financial success. Between 1589 and 1594 only one of his fleets failed to recover far more than the cost of sending them out. He also enjoyed the confidence of the Queen, especially in 1592 when he was made her Champion and created Knight of the Garter.<sup>1</sup> His enthusiasm was undiminished.

Yet, by 1594, there had been a conspicuous increase in the size of Cumberland's known debts, dating from the unfortunate enterprise of 1591, which the profits of the next three years had only once, and then slightly, decreased.<sup>2</sup> The Earl's privateering in this phase had thus not been entirely sustained by his receipts from prizes, but had required further cash investments which had resulted in an increase in his commitments. There are, moreover, signs of financial strain. By 1593, his payments of his livery fine had fallen so much in arrears, over ten years, that the Court of Wards levied some part of the money still owed on the lands of his surity, Philip Lord Wharton.<sup>3</sup> The fine, in fact, was never fully paid.<sup>4</sup> In February 1594, the Earl was unable to repay a debt of £400 owed to his sister-in-law, the Countess of Warwick. In excusing himself, Cumberland<sup>5</sup> complained of "the long burden of making an offensive war".

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1. Williamson, 106, 110.

2. See Table B.

3. £58 were levied for payment of an obligation due on 2nd February 1583/4, (Wards 9/387 ff. 268-9; 9/388 ff. 63-4).

4. Wards 9/389 f. 399.

5. Williamson, 124-5.

### iii. Failure and Frustration, 1594-1597.

The third phase of Cumberland's career opened in the summer of 1594 with incidents typical of the kind that was to dominate the last years of his privateering. Intrigues against the Earl, mainly as a result of his favoured treatment at the division of the spoil of the Madre de Dios, had undermined his position at court.<sup>1</sup> His own actions did little to dispel doubts as to his good faith. His reluctance to pay the £1,620 he owed the Queen for the tonnage of the Lion and Bonaventure,<sup>2</sup> the royal ships he had sent out in 1593, was the cause of her displeasure: the return of his successful seventh fleet the occasion for displaying it. The Queen ordered that his prizes should be searched and their value certified. Cumberland protested to the Lord Admiral that he had been singled out undeservedly for these "unusual courses". He told him,

Those who adventure with me I know by proof do trust me, your lordship for your tenths I doubt not will, and if Her Majesty do not for so little a part as her custom, I have lived to an unhappy hour and hazarded my estate and life very vainly. Your lordship writeth this is done for my good: I would answer, but that I will forbear till I see her to whom when I have uttered what I am bound in duty, I will wish myself with Him that<sup>3</sup> only knows what will be the end of these courses.

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1. Williamson, 136.
  2. H.M.C. Salisbury MSS., xvii, 585-6.
  3. Ibid. iv, 537; Williamson, 137.

Later in the summer, the Earl had cause for further discontent. He had equipped and sent out his eighth fleet in the spring. It consisted of two merchantmen he had borrowed, the Mayflower and the Royal Exchange, both of 250 tons, his own ship the Samson, and two lesser vessels, a caravel and a pinnacle.<sup>1</sup> The expense of provisioning them caused an increase in his debts of £1,000 in March<sup>2</sup> and £1,000 more in May.<sup>3</sup>

Of all the fleets that Cumberland sent out, this came nearest to accomplishing the feat that tantalised<sup>a</sup> generation of Elizabethan seamen. Whilst Frobisher by sea and Norreys by land repulsed the Spaniards at Crozon, Cumberland's small but powerful force intercepted the richest of all the East Indian carracks, the Cinque Llagas of 2,000 tons, halted and crippled it, only to see the great treasure they had captured consumed by fire, blow up and finally sink. Later, the Earl's ships encountered a second great vessel, the San Felipe, a 1,500 ton carrack, and failed to take it only because the Samson lost contact with its consorts when darkness fell. The fleet returned to port on the 6th August, apparently without a prize to compensate its stern and costly actions.<sup>4</sup>

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1. Williamson, 128.
  2. C 54/1486.
  3. C 54/1485.
  4. Williamson, 128 et seq.

This perverse turn in the Earl's fortunes did not deter him from preparing another major expedition, his ninth, in the spring of the following year, 1595. Rather, it was because of his misfortunes, his "ill-partage" on the Madre de Dios and the loss of the two carracks on the last voyage from want of strength to take them, that he determined not to allow factors which he could prevent to jeopardise his chances of intercepting the treasure galleons which had been sighted at Puerto Rico.<sup>1</sup> His novel and ambitious scheme to ensure that the execution of his plans should be worthy of their objectives was to build a ship of his own, equal in size to the middle rank of the royal warships, an act, Monson thought,

so noble and so rare, it being a thing never undertaken before by a subject that it deserved immortal fame.

It was launched by the Queen at Deptford and named the Malice Scourge, for "by that nounce it seemed he tasted the envy of some that repined at his honourable achievement".<sup>2</sup>

The Earl himself victualled the Malice Scourge and his other ships the Anthony and the Discovery.<sup>3</sup> The expense of all this activity is reflected in his debts. On the 2nd June, he mortgaged his manors of Eshton, Gargrave and Flasby for £4,600;<sup>4</sup> on the 6th, he took up loans of £500, £500 and £3,500,<sup>5</sup> and mortgaged Nesfield for £1,000.<sup>6</sup> Finally, with

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1. Williamson, 140.
  2. Ibid. 186, 142.
  3. Ibid. 142.
  4. C 54/1495.
  5. L.C. 4/192/417.
  6. C 54/1579.

the mistakes of 1592 in mind, Cumberland came to a new arrangement with the Queen for the distribution of profits. The adventurers were to have the value of any prizes taken, saving £10,000 on every carrack bound from Portugal to the Indies, or £20,000 on any from the Indies to Portugal. The grant gave similar authority to any deputy appointed by the Earl, should he not sail in person.<sup>1</sup>

In the event, meticulous though the Earl's precautions were, the first voyage of the Malice Scourge was brief and undistinguished. The Earl had planned to go out in June, but news came that Hawkins had caught a carrack near the Rock and had probably scared the rest away.<sup>2</sup> With prospects unfavourable, the Earl could not justify sailing in person, but he was apprehensive that the Queen, unless she heard some reason for it, would misconstrue his return. To Cecil he wrote from Tavistock, knowing that his words would reach her ears,

Another journey may recover again what now I lose, if I lose, but my own going, idly, I will not, upon slight grounds adventure.

He mood was one of despondency. "But well", he confided to Cecil,

it is my fortune, who will ever strive to deserve as well, whatsoever disgrace is laid upon me, as any that liveth. Excuse me for going into the north, necessity forced, being without money, having much to pay, presently, there only to get it, and from this place London 9 or 10 score mile about.<sup>3</sup>

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1. Cal.S.P. Dom., Eliz., 1595-1597, CCL1,74;Williamson,143.
  2. Williamson, 145.
  3. Williamson, 146.

Cumberland left his fleet in the charge of Captain Langton. Langton sailed to the Azores with it, captured a caravel and attacked but could not hold a Spanish Vice-Admiral's ship, the Saint Thomas. Her escorts, it was reported, "were loath to come within daunger of this his Honoures Fleete". Three Dutch ships were also captured on this outing.<sup>1</sup>

The Earl spent the summer at Skipton, building the gallery in the castle, though short of money and depending on his sister Lady Wharton for financial support.<sup>2</sup> Towards the close of the year he was in the south, hoping that he would be allowed to employ his ships against the enemy, although, as he told his Countess, he was far from optimistic "for the working against me is infinite". His wishes, in contrast with his professed intentions, were that he could be with his Countess, "well settled somewhere from the trouble of this uncertain and miserable time".<sup>3</sup>

Cumberland revealed at this stage in his career, despite his outward pessimism, no want of obstinacy in persisting in his own enterprises. In the first week of December 1595, he was provisioning his ships for another voyage. On the 2nd, he borrowed two separate sums of £1,000.<sup>4</sup> Three weeks later, although his ships were ready to

1. Ibid., 147.
2. Ibid. 149.
3. Williamson, 155.
4. C 54/1545.



sail, he still had not received a warrant from the Queen. He wrote to the Lord Admiral that he was grieved he could not do the Queen the service he wanted though, since there was no charge on the Queen, he would not be criticised for not sailing. He wanted, having no other use for all the victual he had provided, to pursue some ships from Hamburg, carrying provisions to the great Spanish fleet preparing in Cadiz for the projected invasion of Ireland and the Low Countries. But he dared not sail without authority from the Queen, for, he said, though he were as careful of the Queen's subjects as he was of himself the danger to him if he lost but one man without that authority would be more than he<sup>1</sup> would willingly risk.

On the 4th January, he was granted authority to sail.<sup>2</sup> On the 16th, his fleet, consisting of the Malice Scourge and the royal ship Dreadnought of 450 tons, was still in port, held up by adverse winds. Cumberland was annoyed to learn that he, who had "at no small charge prepared these ships to do her Majesty service" should be thought slow to take "the least opportunity in effecting it". He was disturbed by another, more serious charge. He had been accused of spoiling Flemish vessels and protested he had never done that.<sup>3</sup> He was confident he could refute the charges against him.

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1. Williamson, 156.

2. P.R.O. Index 6800, Signet Office Docquets, 4th Jan.1595.

3. Williamson, 144.

The accusations, however, were pressed against him in the Admiralty Court and proved. The Earl was compelled, between 1595 and 1597, to make restitution of goods valued at over £7,500 taken by Captain Langton out of three Dutch flyboats and a Hamburg ship in the Channel.<sup>1</sup> The goods were either returned to the merchants, all merchant strangers resident in London, or Cumberland gave bonds for restitution in cash. The loss of prize goods of this value was severe, especially as they fell within 1595<sup>2</sup> and 1596, two of the leanest years in his privateering.

Cumberland's hopes of sailing were frustrated by the unrelenting bad weather. By March, after "lying at great charge" at Plymouth,<sup>3</sup> he had resigned himself to the knowledge that the voyage could not take place. His spirits were raised in the same month by the Queen's grant of a commission to the Lord Admiral and himself to prepare for an attack on Cadiz, but later she rescinded the order. When the preparations for the attack were renewed, the honour of leading the expedition fell to Essez and Raleigh.<sup>4</sup>

By September, when the triumphant Cadiz raiders had returned to England, Cumberland was eager to resume his private conflict with the enemy. He wrote in haste to Cecil on the 25th,

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1. Probably the ships captured on the first outing of the Malice Scourge. See supra, p.57.
  2. S.P. 12/261/80.
  3. Cal.S.P.Dom., Eliz., 1595-1597, CCLvi, 46.
  4. Williamson, 159: Rowse, The Expansion of Elizabethan England, 326.

I pray you excuse my often sending to you, forced by necessity, the ships that should go with me being much sought by merchants that would freight them for the Straits; so as if I do not, upon assurance that I shall proceed with Her Majesty's licence, conclude with the owners of them to-morrow, they will be had from me, and my voyage is overthrown, not able any other where to furnish myself of ships fit for my pretence.<sup>1</sup>

He did not, however, make this projected voyage and remained<sup>2</sup> in London throughout the rest of the year.

As had now become customary with him, Cumberland prepared another enterprise in the spring of 1597. This, his tenth fleet, consisting as in 1596 of the two big ships, his own Malice Scourge and the Queen's Dreadnought, left port for a voyage that proved to be both short and unsuccessful. No more than forty leagues out to sea they met a storm in which the Malice Scourge lost her main mast and both ships were forced to put back to harbour.<sup>3</sup> This misfortune was followed by an even greater setback. Before he sailed, Cumberland and Essex had submitted rival projects for an attack on the Spanish invasion fleet fitting out at Ferrol.<sup>4</sup> Both plans had then been rejected, but a second expedition on the lines of the 1596 Cadiz raid could not long be delayed if the preparations for a second Armada were to be decisively disrupted.

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1. Williamson, 165; H.M.C. Salisbury MSS., vi, 399
  2. Williamson, 167.
  3. Ibid. 169.
  4. Ibid. 168.

In the rivalry for who should lead, Cumberland was early disposed of. The States General did not favour as commander of a fleet that was to include Dutch ships a privateer whom they held responsible for depredations on Dutch merchantmen.<sup>1</sup> Cumberland was deeply humiliated at this reflection on his honour. Shortly after, in seeking Burghley's aid for the Governorship of the Isle of Wight which he desired as a means of advancing both his reputation and his estate, he declared that he was so sensible of the disgrace that if the Queen did not show him some other token of her favour he would as often wish himself dead as he had hours to live!<sup>2</sup>

In this quest, also, he was disappointed. His contribution to the defence of the realm still depended on his own resources and initiative. He equipped and sent out the Ascension, a 400 ton London merchantman, on two short voyages towards Lisbon. On the second voyage, the Ascension was set upon by a squadron of six Spanish ships under an Admiral, but managed to beat them off.<sup>3</sup> It returned to port without success, "having made noe profit to his Lordshipp towards all his charge expended in that Shippe.....and many

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1. H.M.C. Salisbury MSS., vii, 130.
  2. Williamson, 241-2.
  3. Ibid. 171.

maymed and many hurte and all without meanes to mayntayne<sup>1</sup>  
them at their Cominge on Shoare.".

The 3rd Earl's privateering in the three years 1594 to 1597 was as persistent and as intensive as in the earlier phases of his career; on the scale attempted, it was more ambitious. His fleets were more powerful and more efficient; in the material damage inflicted on the Spaniards, as of their pride, more destructive. In contrast, in its financial aspect the success of his privateering had been negligible. At the end of the period, his financial commitments had reached exceptional proportions. Between March 1594 and May 1596,<sup>2</sup> when he mortgaged his manor of Bolton for £5,000, the Earl had borrowed without repayment £17,000. The interesting developments in the year following the mortgage of Bolton reveal that in order to gain relief from the accumulation of debts Cumberland turned to his estates with the intention of raising money from that source.

He instructed his estate commissioners in 1596 to enquire into the question of tenant-right on his manors in Craven,<sup>3</sup> and by the end of the year they had begun to mortgage many of the holdings on the manors to the tenants who occupied them. The basis of these mortgages was the grant

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1. Williamson, 172.

2. C 54/1524.

3. Bolton MS. Sundry Paper, 52.

by the Earl of a lease for 5000 years in return for a fine, for the most part of 40 years' ancient rent, paid to him by the tenant. The Earl retained the right to redeem the long leases on repayment<sup>1</sup> of the full amount of the fine. By this means Cumberland raised over £8,000 from his tenants in Craven<sup>1</sup> and by May 1597 was in a position to come to an agreement with his creditors.

The agreement itself, drawn up on the 7th May is not extant, but it is clear that Cumberland's subsequent financial arrangements were in accordance with its terms. With the approval of his creditors Cumberland redeemed Brancepeth on the 14th May, repaying the capital of £3,000 and the interest owed for the last four years.<sup>2</sup> In June, he repaid with the interest one of the two loans of £500 borrowed on the 6th June 1595.<sup>3</sup> On the 11th September, he redeemed Eshton, Gargrave and Flasby,<sup>4</sup> and on the 13th, Nesfield.<sup>5</sup> A week later, he authorised the sale of the moiety of the manor of Welham and Sutton in the East Riding of Yorkshire, actually his brother's property, but this was not immediately put into effect.<sup>6</sup> In October, his

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1. Bolton MS. Bk.249. For a further discussion of these mortgages, see *infra*, Chapter IV, pp. 121-2.
  2. C 54/1548.
  3. L.C. 4/192/417.
  4. C 54/1552.
  5. C 54/1579.
  6. Bolton MS. Sundry Paper, 265.

commissioners in Craven renewed their work of concluding mortgages with the tenants. This continued on a limited scale until the 12th August 1598. Cumberland received £700 more from these additional mortgages.<sup>1</sup>

Although this series of transactions merely transferred part of the Earl's commitments from his creditors in London to his tenants in Craven, it reduced the pressure of his indebtedness and the demands of his creditors for the regular payment of interest. In the four months from May to September, he lowered his recorded debts by £9,100 and only one manor, Bolton, still remained in mortgage. Cumberland benefited from the fall in two ways. He postponed by no less than five years the date when he would have to repay debts which, until he transferred them to Craven, were already long overdue. In the second place, he no longer paid interest on them. The desire to avoid the burden of usury on debts of that order would in itself have been sufficient reason for the course he had taken. Moreover, if one can infer from the extent of the credit allowed to him in the past years, by the repayment of the London debts Cumberland had given himself the scope to invest in another enterprise in an attempt to recover what he had lost in his privateering during the last three years.

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1. Bolton MS. Bk. 249, f.13 et seq.

iv. The Puerto Rican Expedition and After, 1597-1600.

In July 1597 the Earl's plans for a major expedition were maturing. He was a suitor to go a "royal journey":<sup>1</sup> Raleigh and Cecil were ready to adventure with him. The Earl conceived of the enterprise as more than a return to large-scale privateering after two years of predominantly naval conflict. It was to be, in effect, a counter-offensive, designed to establish a permanent naval base in the West Indies from which to harass at its source the stream of treasure on which the strength of Spain now depended. In its strategy this was a plan that would appeal to the Queen and her advisers but it did not neglect the prospect of considerable plunder that alone would attract the wealthy London merchant privateers.

Signs of Cumberland's preparations were evident as winter approached. In November, he mortgaged the demesnes of Eshton for seven years for £2,000.<sup>2</sup> On the 20th December, he finally disposed of Brancepeth, for £5,200,<sup>3</sup> and although in January 1598 he repaid the second loan of £500 borrowed in June 1595,<sup>4</sup> in February, a month before the fleet sailed,

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1. Williamson, 174.
  2. C 54/1579.
  3. C 54/1578, 1579.
  4. L.C. 4/192/417.



he entered into a bond for a debt of £1,000, taken in goods supplied to the ships that were his contribution to the expedition.<sup>1</sup>

A change in the Earl's method of financing his voyages can be observed in these arrangements. For the first time, provision of the necessary cash depended on the conversion of the capital assets of his estates. Brancepeth was probably the first manor surrendered by him since Maltby, Hart and Cowthorpe in 1586, and the first sold in order to invest in a privateering venture. Furthermore, the mortgage of Eshton, taken not by a London creditor but by a local gentleman Robert Bindlose, was virtually a sale since the Earl did not redeem it and confirmed Bindlose's possession in 1605.<sup>2</sup>

For some, at least, of the Earl's creditors there was none of the official secrecy maintained in the grant of authority to undertake the voyage. Several invested and took part in the expedition, which by the time of sailing had assumed the character of a joint enterprise financed by Cumberland and an influential group of London merchant privateers.<sup>3</sup> The merchants contributed 12 ships; Sir Walter Raleigh ventured his Guiana, and Cumberland, besides

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1. Bolton MS. Sundry Paper, 273.
  2. Skipton MS. A/34/1.
  3. Williamson, 200 et seq.

the Malice Scourge as the Admiral's ship, his other vessels the Samson, the Anthony, the Discovery, his pinnace the Scout and two small barks: in all, eighteen privateers, 1,700 men<sup>1</sup> and several small craft. This powerful force, which constituted the major naval and privateering venture of 1598, sailed on March 6th 1598, hovered off the coast of Spain, putting the Spanish ports in a ferment, then,<sup>2</sup> passing through the Azores, headed towards the West Indies.

The military purpose of the expedition was brilliantly achieved. In taking Puerto Rico and San Juan, the virgin city of the Indies, Cumberland succeeded where Drake before him had failed. "The success", Corbett has written, "was well deserved. His plan was finely conceived and boldly carried through".<sup>3</sup> Following the main lines of attack developed by Drake, Cumberland with great skill managed to surprise the city and lost only thirty men in all the fighting. Sir John Berkeley was established there with a garrison of 300 men. The speedy end of the campaign was a<sup>4</sup> severe blow to Spanish prestige.

Unhappily, the financial reward was by no means equal

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1. Williamson, 178-9; Andrews, 349.
  2. Williamson, 180 et seq.
  3. Corbett, op.cit. 249.
  4. Williamson, 204-5, 223.

to the merit of Cumberland's endeavour. The value of the plunder and nine prizes brought back, estimated at £16,000, was "not half the cost of setting out besides the waste of shipping and loss of 600 men"<sup>1</sup>. One report said that the merchants who adventured with him would be content to take eight per cent of their principal. A gentleman soldier's share came to only ten shillings. Of eighteen men of the Earl's household who sailed with him, only two had returned.<sup>2</sup>

Cumberland, without doubt, was unlucky. His ships narrowly missed thirty corn vessels off the coast of Spain which a correspondent in Lisbon said "would have furnished his country but famished this"<sup>3</sup>. He lay in ambush for carracks in the Azores, but his intentions were "treacherously" made known in Lisbon by an English ship's master.<sup>4</sup> Forty-six ships set out from Mexico to intercept his fleet on its return. Cumberland wished that he could have met with some of them.<sup>5</sup> However, they did not cross his path.

Yet, the criticism that in Puerto Rico the Earl<sup>6</sup> "neglected present profit in hope of greater matter" was

1. Williamson, 205.
2. Ibid. 206.
3. Ibid. 204.
4. Ibid. 181.
5. Ibid. 195.
6. Williamson, 205.

substantiated by himself. Justifying his actions to his sister-in-law, the Countess of Warwick, he protested,

I take God to witness (before whome we must al answere)  
I went this tyme abroad more to doe her Majestie  
servyce, then for gettinge wealth, as it is made  
apparrant by my proceedinges at Porto Rico: where  
if I would have left the place I could have had  
all the Gynger and Sugar in the countrie brought  
in to me which by good accompte was worth above  
fyve hundred thousand poundes besides good store  
of jewells and plate.<sup>1</sup>

He was far from sanguine that his efforts would be appreciated. Though he expected that from the voyage he would

presentlie drawe litle to fill those purses it hath  
emptied: yet should I sucke thereby sweet content-  
ment if this begunne might be followed, which  
reasons unanswerable will urge. But I dare not  
hope, for havinge as your Ladyship well knowes  
been onelie a Fyre maker for others to warme themselves  
at, when I was thruste out of doores to blowe my  
fyngers in the coulde, and I thinke was borne like  
Watt of Greenwich to dye carryinge the Colebaskett:  
I might comfort my selfe with the most honorable  
man, your honorable fathers worde Che sera sera.<sup>2</sup>

The national interest which Cumberland allowed to prejudice the attainment of the private financial purpose of the Puerto Rican voyage also effected the success of his privateering after the return of the expedition. On the 9th

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1. Ibid. 221.  
2. Ibid. 220.

December 1598, he bought a 140 ton ship, the Elizabeth Guiana,  
 for £500<sup>1</sup> and sent it out to prey on shipping in the Channel.  
 Its capture of a French ship, the Marie, with goods valued at  
 £3,000 proved an embarrassment to the Council whose concern<sup>2</sup>  
 was now for amicable relations with the French. In May 1600,  
 the Queen had speech with Cumberland about equipping another  
 fleet. For the cost of victualling, he thought, "£3,000<sup>3</sup>  
 will be the uttermost & so I dare undertake it".

There the matter rested, for although the Earl could  
 not resist keeping a minor interest in privateering,<sup>4</sup> his  
 own thoughts were soon pre-occupied with the problem of his  
 accumulated debts and the measures he would need to take to  
 reduce them.<sup>5</sup> Moreover, the ~~high~~ day of the privateer was  
 over. Sea warfare with Spain, both the naval conflict and  
 its corollary oceanic privateering, was shortly to develop  
 into full mercantile rivalry between the leading trading  
 nations.<sup>6</sup>

1. Bolton MS. Sundry Paper, 266.
2. A.P.C. 1599-1600, 388-9.
3. Williamson, 235.
4. Ibid. 250.
5. See infra, Chapter IV.
6. Cf. Andrews, 264.

It was a change which Cumberland anticipated and in which he himself participated. He advocated in 1599 challenging the Portuguese for the East Indian trade. It would offend God, he said with some fervour, if the country were

to lett slipp this gracious-geven opportunitie of drawinge a perpetuall trade that will not onlie enrich our countrie, but breed numbers of men to strengthen the walles of our realme, and leave a blessed memorie of Queene Elizabeth (whome God ever blesse), that in her tyme and by her endeavour, that honest meane was founde and settled, that whilst the worlde endureth shall make England rich and invincible as without question multitude of shippes and marryners will make it, both which this breed in abundance.<sup>1</sup>

His support for the newly formed East India Company was the practical expression of his belief in the importance of organized trading as a means of breaking into an area hitherto denied to English merchants. The grant of the Company's Charter in 1600 was to Cumberland, the only nobleman concerned, and his co-sponsors the London merchants.<sup>2</sup> He sold his great ship the Malice Scourge to the company for £3,700 and invested £1,500 of this sum in the company's first voyage for himself and £500 for his creditor Thomas Cordell, mercer, one of his associates on the Puerto Rican enterprise.<sup>3</sup>

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1. Williamson, 222.
  2. Sir George Birdwood, (Ed.), The Register of Letters &c of the Governour and Company of Merchants of London trading into the East Indies, 1600-1619, (1893), 164.
  3. Williamson, 211-2. The Malice Scourge, renamed the Red Dragon, was the company's main vessel in its early voyages to the East Indies.

It was, however, the West Indies rather than the East which had attracted Cumberland since his years at Cambridge. He had hoped that Puerto Rico, once taken, would be retained as a permanent English base in the West Indies. Constant disruption of Spain's shipping such as he had achieved in 1598 would, he held, quickly ruin Spain.<sup>1</sup> But that was not to be. The base was relinquished and in 1604 the war with Spain came to an end.

Even so, there was an opportunity for one last gesture from Cumberland, but one to the new era, not to the old world which he had known. In the last year of his life he sent his ship the Pilgrim on a trading voyage to Cumuna and other ports in the Caribbean. Nicholas Downton was Captain; Cumberland and Downton the principal shareholders. The ship came home by way of Virginia,<sup>2</sup> with a cargo consisting largely of tobacco.

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1. Ibid. 223-4.

2. Sir William Foster, (Ed.), The Voyage of Nicholas Downton to the East Indies 1614-15, (Hakluyt Soc. Ser.II, vol. Lxxxii, 1939.), xiv.

## v. Conclusion

The literary evidence of the 3rd Earl's voyages indicates that there were four phases in his privateering career. The failure of his first two voyages in 1586 and 1588, the first phase, was followed by a period of almost continuous success broken only by the uncertain enterprise in 1591. The third phase, from the eighth voyage in 1594 to the eleventh in 1597, was one of consistent misfortune. The Puerto Rican expedition in 1598, in conception and in size by far the most important of his voyages, was in its privateering aspect equally unsuccessful, although it might easily have produced an immense profit. Cumberland's later activities were on a minor scale and their profitability uncertain.

The evidence of the Earl's recorded debts, which are set out in Table B, confirms the outline of his career that has been given above. By 1587, Cumberland had forfeited the manors he had mortgaged and had repaid the debts incurred prior to June 1586. In effect, he commenced privateering in the knowledge that no matter how extensive those earlier losses he hoped to replace, the demands on him were now no greater than the cost of his first enterprise. The evidence suggests that not once did Cumberland's debts fall below the level of those created by the failure of his first fleet and that he constantly added to those debts, particularly in



1591 and in the years after 1594.

During the profitable period of his career, there was no significant repayment of his debts; in fact, by 1594 there had been a substantial rise despite the redemptions of Brancepeth in 1590 and Nesfield in 1593. The profits would account for the absence of heavy additions to his credit. Since they could not prevent an increase in the debts, it may be surmised that they were principally absorbed by his privateering expenses in that period and had no appreciable effect on later investments.

After 1594, there was a sudden increase in the Earl's indebtedness, coinciding with the failure of his fleets to return with profit. Until 1597, however, there was no evidence of lack of confidence in him by his creditors. He was apparently able to raise what he wanted, on credit, for the voyages planned, without exploiting his capital assets other than by minor sales of land, limited grants of long leases and the loss, at some period in his career, of Wevendrewath in Westmorland, which he mortgaged to Thomas Braithwaite, one of his officers there, and failed to redeem.<sup>1</sup>

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1. Appleby MS. Bk.III, 186.

Table BThe Recorded Debts of the 3rd Earl, 1584-1598.

<u>Year</u>	<u>Date</u>	<u>Loans Taken Up</u> £	<u>Repayments</u>	<u>Mortgages Forfeited</u> £	<u>TOTAL DEBTS</u> £
<u>1584</u>	9 Feb	400			400
<u>1585</u>	31 Dec	4,500			4,900
<u>1586</u>	31 June	9,000	£ 2,400	£ 1,000	10,500
	31 Dec		700	5,500	4,300
<u>1587</u>	20 July		800		3,500
<u>1588</u>	31 June	3,800	1,000		6,300
	31 Dec	500 <sup>a</sup>			6,800
<u>1589</u>					6,800
<u>1590</u>	16 Feb		2,500		4,300
<u>1591</u>	23 Mar	5,700 <sup>b</sup>			10,000
<u>1592</u>					10,000
<u>1593</u>	31 May	1,200	2,000		9,200
<u>1594</u>	14 May	2,000			11,200
<u>1595</u>	6 June	10,000			21,300
	2 Dec	2,000			23,300
<u>1596</u>	2 May	5,000			28,300
<u>1597</u>	13 Sept		9,100		19,200
	2 Nov	2,000			21,200
<u>1598</u>	2 Feb		500	£	<u>20,700</u>

Notes

- a. The loan on the mortgage of Brancepeth was increased by £500 in December 1588 (C 54/1399).
- b. The loan on the mortgage of Nesfield was increased by £200 in 1591 (Lambeth Palace MSS. vol.xiv,707. m.60).

But in 1597 he needed both to utilise his estates as a source of ready money and to allow his creditors to dictate his financial affairs. Since 1593, he had paid no interest on two debts at least; on the second mortgage of Brancepeth and £1,000 lent him in 1586.<sup>1</sup> The payment of interest on debts of the size he had incurred must have been a great strain on his resources.

The real test of the Earl's capacity to meet his creditors' demands came after the return of the Puerto Rican expedition. If he looked to the profits from this, his last and greatest, venture, there was little in the final reckoning to give him comfort. It was clear then that whatever his ability to finance each separate enterprise, he had failed to recover the total cost of his privateering. Conversion of his capital assets had been necessary even before the 1598 fleet had sailed; the failure of that venture emphasised the importance of his earlier losses.

Because there was a rapid accumulation in Cumberland's recorded debts after 1594, it is likely that there was also a corresponding rise in his debts on bonds. The debt of £1,000 for goods delivered to his ships in February 1598 was on a bond. Amongst his debts still unpaid in 1624, were

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1. C 54/1548.

£103 owed to "Lewis the smith" for anchors; £370 to "divers creditors about Plymouth", £670 to those at Portsmouth, £140 at Southampton and £150 at Rochester.<sup>1</sup> These debts and many others were on bonds and are suggestive of the unrecorded debts that Cumberland would incur in equipping his ships. The unrecorded debts were in all probability much larger than those recorded.<sup>2</sup>

Cumberland's financial position in 1598 thus was similar in character to the situation in 1586 when he elected to replenish his fortunes from the sea. Similar in kind, but writ large: for in 1598 Cumberland's known debts were far greater, more urgent and less easily to be avoided than in 1586 and had only been decreased at the expense of commitments to his tenants in Craven. At the last, he was compelled to make his estates supply what the sea had denied him.<sup>3</sup>

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1. Londesborough MS. D/7
  2. An estimate of the 3rd Earl's total indebtedness is given infra, Chapter VI, pp. 169-170.
  3. See infra, Chapters IV, V.

### CHAPTER III

#### THE 3RD EARL'S MAJOR CREDITORS.

##### 1. Creditors in General

One of the most revealing features of the 3rd Earl's constant need of ready money in a period before an organised banking system had evolved is the associations he formed with those capable of supplying his wants. The problem of the temporary transfer of ready money had not yet been adequately solved, as it was to be in the seventeenth century through the medium of scriveners' shops and, later, by banks.<sup>1</sup> Ad hoc arrangements between the parties concerned were still the rule.. London was pre-eminently the place where contacts were possible between men of substance with cash to lend and those, like Cumberland, eager to make use of it.

As late as the last decade of the sixteenth century lending money could still be regarded as a social responsibility thereby escaping the stigma of usury, for creditors did not consistently demand interest on their loans. Before 1600, for example, much of the 9th Earl of Northumberland's borrowing was free of interest and in 1593 the 2nd Earl of

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1. See Beloff, E.H.R., Liv, 686.
  2. Batho, Household Accounts of the Ninth Earl of Northumberland, 131-2.

Essex was paying interest on only half the loans entered<sup>1</sup> in his steward's accounts.

Cumberland himself was one of those who lent Essex money free of interest. His own principal creditors, however, all demanded interest. The majority of them had in common also the desire to have the debt recorded, in a mortgage, recognizance or statute. The Earl borrowed extensively on bonds which, it has been suggested, were the form of legal security most widely used,<sup>2</sup> but few of the bonds that have survived were for large sums lent by people who were socially important.<sup>3</sup> The fact that the loans were recorded is the main reason why the names of so many of the Earl's major creditors are known. But it also indicates that for them lending money was a serious activity since recording was an efficient, business-like method of ensuring easy and certain recovery of the loan.<sup>4</sup>

The Earl's creditors are interesting individually as money-lenders and they are particularly important as indicative of the kind of people who made a practice of, and a profit from, lending money at that time. They were drawn, in fact, mainly from the social groups which one would expect to predominate in the business of money-lending in the late

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1. Devereux Papers, vol.III, f.72.
  2. See Introduction, sub Obligations, esp. pp. xLiii-xLv.
  3. Londesborough MS. D/7.
  4. See Introduction, sub Obligations, esp. p. xLi.

Tudor period. Only twice did the Earl borrow any substantial sum from fellow members of the peerage: in 1587, when he mortgaged Nesfield to George Talbot 6th Earl of Shrewsbury for £2,000<sup>1</sup> and in 1605, when Shrewsbury's widow, 'Bess of Hardwick', lent him £1,000.<sup>2</sup> They had both previously lent him money on mortgages of lands in Derbyshire.<sup>3</sup> For the rest, interest centres on creditors who represented the urban and rural middle classes.

In Cumberland's early years, there was a pronounced northern flavour in his choice of creditors though his connection with them was almost certainly the result of his residence in London. Two of the loans he shared with his brother-in-law Philip Lord Wharton; the first, for £250, from Cuthbert Buckle, vintner of London,<sup>4</sup> whom Cumberland described when requesting the wardship of his son as a "countryman" of his.<sup>5</sup> Buckle, later Lord Mayor of London, was a native of Westmorland.<sup>6</sup> The second loan, for £800, was from Marmaduke Wyvell of Constable Burton in the East Riding of Yorkshire.

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1. See supra, Chapter II, pp. 37, 49.
  2. L.C.4/195/460.
  3. See supra, Chapter I, pp. 28-9.
  4. C 54/1117.
  5. H.M.C. Salisbury MSS., iv, 554-5.
  6. Orridge, op.cit. 230 n.202.

Wyvell was probably in residence in London at the time, though he specified that repayment be made at his house at Constable<sup>1</sup> Burton.

In 1585, Cumberland mortgaged Cowthorpe to Thomas Walmesley of Clayton-le-dale Lancashire, then a serjeant-at-law<sup>2</sup> at Lincoln's Inn. In 1585 also, he mortgaged Maltby to Humfrey Weld, grocer of London, who hailed from Cheshire.<sup>3</sup> A few months later two other men of northern stock helped to provide the Earl with cash; not, however, on loans but by purchasing Maltby from him. His solicitor Anthony Wright gent of Lincoln's Inn and Nesfield in Craven bought the capital messuage as his residence<sup>4</sup> and the remainder was taken by Edward Stanhope Esq of Gray's Inn,<sup>5</sup> a member of the notable Yorkshire family of Stanhope with whom the 3rd Earl and his brother were later associated politically as supporters of the Cecil faction.<sup>6</sup>

Of these northern creditors, only Walmesley lent Cumberland money on more than one occasion. Apart from the £1,600 on the mortgage of Cowthorpe, Cumberland borrowed £500 from him in 1586.<sup>7</sup> It was Walmesley who purchased

1. C 54/1156.
2. C 54/1238. For Walmesley, see D.N.B. xx, 616.
3. C 54/1236. Orridge, *op.cit.* 232 n.221.
4. C 54/1237.
5. C 54/1240.
6. H.M.C. Salisbury MSS., vii, 416. J.E. Neale, The Elizabethan House of Commons, (1949), 223.
7. C 54/1250.



Cowthorpe from the final mortgagees when Cumberland found himself unable to redeem it in 1586 and he also bought Cumberland's property in Bickerton in 1587 for £160.<sup>1</sup> Of Walmesley it has been said: "By fair, and also, it was whispered, foul means, he amassed a large fortune, which he invested in broad acres in his native county".<sup>2</sup>

Only two of the Earl's creditors in his early years in London were not from the northern counties. Richard Tailford, upholsterer of London, lent him £400 in 1584,<sup>3</sup> £400 more in 1585<sup>4</sup> and £1,000 on the mortgage of Gargrave in 1586.<sup>5</sup> From<sup>6</sup> Ralph Radcliffe, mercer, Cumberland borrowed £900 in 1585.

Thus in Cumberland's early years two-thirds of the creditors and of the cash he borrowed came from northerners. He continued to borrow from northerners throughout his life but, henceforth, restricted his choice to men of Yorkshire stock or with strong Yorkshire associations. These men - Henry Lindley, Thomas Crompton, Robert Bindlose and Bartholomew Young - will be mentioned in the course of the discussion.

The prominence of northerners in the Earl's creditors came to an end as his need of cash increased. Indeed, until

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1. Yorks. Fines, Tudor, III, 77.
  2. D.N.B. xx, 616b.
  3. C 54/1196.
  4. C 54/1247.
  5. C 54/1244.
  6. C 54/1248.

1595 the most striking feature is not the place of birth but the variety in occupation and social position of the Earl's creditors. That variety has already been indicated, for Cumberland's early creditors included a country gentleman, Wyvell, a practising lawyer, Walmesley, and four merchants of different trades. Besides lawyers, merchants and landed gentry, the Earl resorted to a fourth kind of creditor, government officials, from 1586.

A second lawyer, Arden Waferer, a counsellor at law with a house in Chancery Lane,<sup>1</sup> lent the Earl £1,000 in 1586.<sup>2</sup> Of the landed gentry, Henry Lindley gent, Edward Greville Esq and Robert Bindlose Esq were the most prominent both socially and as creditors. Lindley, who provided Cumberland with £2,500 in 1591<sup>3</sup> and £1,000 more in 1593,<sup>4</sup> was the third son<sup>5</sup> of Lawrence Lindley of Leathley in Yorkshire and served the 2nd Earl of Essex as receiver in Yorkshire and as financial adviser.<sup>6</sup> Greville lent the Earl £2,000 in 1595<sup>7</sup>. He was the son of Sir Fulke Greville and sat as member for Warwick in the 1593 and 1604-11 parliaments.<sup>8</sup> Bindlose, who later migrated from his native Lancashire to Craven,<sup>9</sup> advanced £2,000 to the Earl on the mortgage of Eshton.

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1. Cal. S.P.Dom. Eliz., 1581-90, CLxxii, 111.

2. C 54/1249.

3. L.C. 4/192/40.

4. L.C. 4/192/248.

5. J. Foster, (Ed.), The Visitation of Yorkshire in 1584/5 and 1612, (1875), 547.

6. H.M.C. Salisbury MSS., vii, 283.

7. C 54/1545.

8. E.E. Trafford, Personnel of the Parliament of 1593, M.A. London thesis, (1948), 221.

9. C 54/1579.

James Gardiner gent, Bartholomew Young gent and Edmond Standen Esq. jointly lent Cumberland £3,000 on the mortgage of Brancepeth in 1591.<sup>1</sup> Both Gardiner and Young had previously been admitted to Middle Temple and were permanently resident there. Gardiner was the son of a Cambridgeshire gentleman, Thomas Gardiner of Sawston.<sup>2</sup> What his occupation was, professional lawyer or otherwise, is not certain. Young, the heir of Gregory (sometimes called George) Young, a London merchant of Yorkshire birth, is best known as translator of Montemayor's "Diana" and other Spanish works which Shakespeare used as sources for "Two Gentlemen of Verona".<sup>3</sup> Standen's connection with them will be described later.

Most of the landed gentry mentioned in this discussion were at some period in their life resident at the Inns of Court. Though the Earl's own interests were most closely identified with Gray's Inn,<sup>4</sup> virtually all the Inns of Court were represented by one or other of his creditors who were

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1. C 54/1399.
  2. H.A.C. Sturgess, (Ed.), Register of Admissions To The Honourable Society of the Middle Temple, vol.I, 1501-1781 (1949), 20. Prerogative Court of Canterbury Administrations iii, 1581-1595, (1954), 62.
  3. D.N.B. xxi, 1278-9. John Hutchinson, A Catalogue of Notable Middle Templars, (1902), 270.
  4. J. Foster, (Ed.), The Register of Admissions to Gray's Inn 1521-1889, (1889), 91.

lawyers or trained in the law. Lindley was at Gray's,<sup>1</sup> Walmesley at Lincoln's, Waferer at the Inner Temple,<sup>2</sup> Young at New Inn and later Middle Temple, Gardiner also at Middle Temple and Wyvell at Furnival's as well as Lincoln's Inn.<sup>3</sup>

Similarly, the Earl's creditors amongst the merchants belonged to a variety of city livery companies. Richard Humble, who lent Cumberland £1,000 in 1596,<sup>4</sup> and Buckle were vintners; Weld a grocer, Radcliffe a mercer; Tallford an upholsterer; John Bird, from whom Cumberland borrowed<sup>5</sup> £1,000 in 1594, a beerbrewer of Southwark. The Earl's first recorded creditor was the goldsmith John Mabbe junior. The loan, for £120,<sup>6</sup> was taken up two weeks before his wedding in June 1577. Francis Morley, also a goldsmith, was associated with Cumberland both as creditor and as servant, but the Earl's debts to him were on bonds. Sir Baptist Hicks, clothier, and James Anton, silkman, similarly lent Cumberland money on bonds.<sup>7</sup> Peter Van Lore, the jeweller,<sup>8</sup> both lent Cumberland £1,000 in 1605 and on one occasion acted as intermediary between him and two merchant strangers

1. Ibid. 67.
2. Students admitted to the Inner Temple, 1547-1660, (1877), 21.
3. The Records of the Honourable Society of Lincoln's Inn, vol.I, Admissions from A.D. 1420 to A.D. 1799, (1896), 96.
4. L.C. 4/192/417.
5. C 54/1486.
6. C 54/1021.
7. Londesborough MS. D/7; Bolton MS. Bk. 106, f.4a.
8. L.C. 4/195/374.

of London who lent him money.<sup>1</sup> Van Loré appears to have turned his Dutch origin to good account in this kind of service,<sup>2</sup> but is best known as a notorious usurer in his own right and royal financier under James I.<sup>3</sup>

This list of Cumberland's creditors from the merchant class is by no means complete. It does not include the special group of merchant privateers with whom Cumberland had contact. To separate the two groups, one with known privateering interests, the other without, is to some extent artificial, but with the merchant privateers there is evidence of wider associations in their dealings with Cumberland besides the variety in trading activities which is relevant to this part of the discussion.

Before turning to the merchant privateers, a particularly interesting group of creditors which constituted an 'official' element amongst the many from whom Cumberland borrowed must be described. The members of this group acted jointly or in concert with other creditors. The first of the Earl's dealings with them was in April 1586 when he mortgaged Hart for £3,000<sup>4</sup> and Cowthorpe for £2,500<sup>5</sup> to Robert Petre Esq. and John Morley Esq., both officials

1. C 54/1250.

2. H.M.C. Salisbury MSS., vii, 283.

3. See, e.g., B.M. Lansd, 162. f.204.

4. C 54/1250.

5. C 54/1263.

in the Exchequer.<sup>1</sup> When the Earl failed to redeem the manors, Petre and Morley allowed Thomas Walmesley to purchase Cowthorpe from them at once, but retained Hart for more than a year.<sup>2</sup>

In June 1588, Petre, with Robert Freke Esq., like him a Teller in the Exchequer,<sup>3</sup> and Thomas Crompton Esq., head of the Fine Office,<sup>4</sup> lent Cumberland £2,500 on the mortgage of Brancepeth.<sup>5</sup> The second mortgage of Brancepeth in March 1591 for £3,000 was taken by Edmond Standen Esq., clerk of the Petty Bag in Chancery, jointly with Bartholomew Young and James Gardiner who have already been mentioned.<sup>6</sup> When this mortgage was redeemed by the Earl in 1597, statutes to ensure repayment<sup>7</sup> were given to Standen, Young (Gardiner was<sup>8</sup> dead by then), John Wright, a yeoman of Kelvedon in Essex, and Valentine Sanders Esq. of Chiswick, Middlesex to whom Standen sold his Chancery office in 1603.<sup>9</sup>

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1. R.C. Gabriel, *Members of the House of Commons, 1586-7*, M.A. Lond. thesis, 1954, 556, 534.
  2. C 54/1257.
  3. Cal.S.P.Dom., Eliz., 1581-90, p.282; Index, p.755.
  4. Cal.S.P.Dom., Eliz., 1601-3, pp.114-5.
  5. C 54/1288.
  6. C 54/1399.
  7. L.C. 4/193/245. For the statutes see Table A.
  8. Harleian Soc. xiii (1878), 533.
  9. T.D. Hardy, A Catalogue of .... Principle Officers of the High Court of Chancery, (1843), 127. Harleian Soc. xvii (1883), 225.

Cumberland's dealings with these men reveal that government officials were no less ready than lawyers and merchants to take advantage of the opportunities of money-lending. Two of them, Petre and Morley, the most important of Cumberland's early creditors by virtue of the size of their loans to him, were also not averse to speculation in the land market, for though they sold Cowthorpe probably for the same price as they paid for it, they made a handsome profit on Hart. When they disposed of it to John Lord Lumley in 1587, they received £5,350 compared with their investment of £3,000 to Cumberland little more than a year<sup>1</sup> before.

Although the evidence is limited, the co-operation of these officials in their dealings with the Earl suggests that there may here be an instance of a financial syndicate for they were closely connected in their work. Petre, Freke and Morley were Exchequer officials. Crompton was associated with Morley in the Fine Office,<sup>2</sup> and sufficiently intimate to share with Morley's widow the wardship of his son<sup>3</sup> and also was a party with Petre and Freke in the indenture tripartite

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1. C 54/1257.

2. F.A. Inderwick, (Ed.), A Calendar of the Inner Temple Records, vol I, 1505-1603 (1896), 313, 314.

3. P.R.O. Index, Patent Rolls, 31 Eliz. pt. 12.

by which Morley settled his estate shortly before his death<sup>1</sup> in 1588.

Petre, Freke and Crompton, moreover, were concerned with Standen, Gardiner and Young in the indenture tripartite<sup>2</sup> at the granting of the second Brancepeth mortgage in 1591. This connection between the two groups of Brancepeth mortgagees confirms the likelihood of contact which one might assume from the proximity of the Fine Office in Middle Temple Lane to Gardiner and Young's residence in the temple itself and Standen's office in Chancery. Crompton's duties as chirographer put him in an admirable position for making contacts of this kind.

One of the officials, Thomas Crompton, was associated with another of Cumberland's creditors, though in a different way. Crompton, like Henry Lindley, was a financial agent of the Earl of Essex. He had property in Yorkshire near to Londesborough; a house at Skerne and the lordship of Beverley, a borough he represented in the 1597 Parliament. Thus, both had interests in the county. Lindley also was

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1. E.A. Fry, (Ed.), Abstracts of Inquisitions Post Mortem relating to the City of London, vol. III (1908), 110-111.
  2. C 54/1399.



overseer of Crompton's will in 1601.<sup>1</sup> Cumberland borrowed large sums from them, particularly from Lindley, including £1,000 in 1593 when Cumberland himself lent the Earl of Essex £1,207 free of interest.<sup>2</sup> Perhaps in these financial relationships can be inferred one aspect of the apparently continuous bond of respect shared by Essex and Cumberland,<sup>3</sup> which lasted at least until the rash revolt of 1601.

#### ii. Merchant Privateers.

Dr. Andrews' researches have made familiar the names of the principal and many of the lesser merchant privateers and their close co-operation in trading and privateering, to which their regular mercantile activities, like their ships, were readily adapted. A third and equally important function has so far been comparatively neglected. This was the merchants' role as financiers; an activity which had developed, as did their privateering, as a natural offshoot of their everyday practice of 'putting out money for gain'.

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1. Ex. inf. Miss Caroline Merion, who kindly supplied me with much of the information on Crompton.
  2. Devereux Papers, vol. III, f.72.
  3. Cf. H.M.C. Salisbury MSS., x, 178.

The combination of all three activities on an extensive scale is perhaps uniquely observable in the final years of the 3rd Earl's privateering career.

Merchant privateers, though not the first of Cumberland's creditors, became prominent from 1586, the year in which he himself began privateering, and dominant in the later stages of his career. In June 1586, Thomas Cordell<sup>1</sup> and his fellow mercer Bartholomew Barnes lent the Earl £1,000.<sup>2</sup> In the same month, Cumberland negotiated a loan of £250 from William Hall<sup>3</sup> and a second haberdasher Henry Dale, though the debt was cancelled<sup>4</sup> at once. In May 1594, Cordell, John Bird clothier<sup>5</sup> and Thomas Paradine haberdasher transferred to the Earl a loan of £1,000 which they had taken up three weeks before from two merchant strangers resident in London.<sup>6</sup> On the 2nd June 1595, Cordell lent Cumberland £4,600 on the mortgage of Eshton;<sup>7</sup> on the 6th, a further £3,500;<sup>8</sup> and on the same day Bird, Paradine and Thomas Symonds skinner provided him with £1,000 more on

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1. For Cordell's privateering, see Andrews, 233, n.2.
  2. C 54/1248.
  3. Andrews, 241, n.1.
  4. C 54/1250.
  5. Andrews, 237, n.2.
  6. C 54/1485.
  7. C 54/1495.
  8. L.C. 4/192/417.

the mortgage of Nesfield.<sup>1</sup> These loans make it clear why in May 1597 Cordell, Bird and Paradine were specifically mentioned as three of the Earl's most important creditors.<sup>2</sup> The fourth was Henry Lindley.

Both Cordell and Bird belonged to the special group of merchant privateers whose dealings with Cumberland will shortly be discussed and Paradine appears so frequently with Bird, Cordell and other notable privateers that there is good reason to assume that he invested with them, although there is no actual evidence that he did. John Bird was the joint owner, with his partner John Newton, of the Golden Noble and the Moonshine which accompanied the Earl's ships in his fleets of 1591 and 1592.<sup>3</sup>

Peter Houghton, to whom Cumberland mortgaged Bolton in 1596 for £5,000,<sup>4</sup> was another merchant with privateering interests. He had invested in the Prudence and the Golden Dragon in 1592 with John Newton and others including William Bygate.<sup>5</sup> Bygate was the father-in-law of Cumberland's captain Abraham Cocke, and it was to the Golden Dragon that Cocke had fled with the booty he had taken from the Madre de Dios.<sup>6</sup>

The change in Cumberland's financial relationships in

1. C 54/1579.
2. C 54/1548.
3. Andrews, 237, n.2; 259.
4. C 54/1524.
5. Andrews, 245, n.4.
6. See supra Chapter II, p. 49.

his last years as a privateer arose from the difficulties caused by the failure of his enterprises after 1594. His need of large loans and possibly also the state of his credit would make him dependent on the goodwill of the wealthier merchants, whilst those with whom he had contact in privateering were more likely to be favourably disposed towards him. From June 1595 until 1605, of those who lent Cumberland money only Richard Humble the vintner, Edward Greville Esq and Robert Bindlose, the Craven capitalist, had no known connections with privateering. The remaining creditors were exclusively London merchants with privateering interests. The Earl's association with them is most evident in the great Puerto Rican expedition of 1598 and in the financial as well as in the privateering aspects of the voyage.

Let us consider first which merchants shared with Cumberland the responsibility for the enterprise. In the agreement made between Cumberland and the representatives of the city of London for settling such essential questions as the conduct of the voyage, the valuing of prizes and the distribution of profits,<sup>1</sup> the commissioners appointed to act for the city were Paul Bayning,<sup>2</sup> Leonard Holliday,<sup>3</sup> John Watts<sup>4</sup> and John Moore,<sup>5</sup> all Aldermen, and Thomas Cordell,<sup>6</sup> William Garraway,<sup>7</sup> William Shute,<sup>8</sup> James Lancaster, Thomas

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1. Williamson, 200-203.
  2. Andrews, 350,n.2.
  3. Merchant Taylor. See Williamson, 200,n.2.
  4. Andrews, 242,n.2.
  5. Ibid. 245,n.4., 255, n.3.
  6. Ibid. 350,n.6.
  7. Ibid. 351,n.1.
  8. Ibid. 351,n.2.

Alleblaster and Robert Walden. Alleblaster was placed in charge of the records and accounts. All but Holliday, Alleblaster and Walden had long experience of oceanic privateering.

The composition of the fleet indicates the importance of the city investment in the voyage. Of the eighteen vessels, Cumberland owned five. John Watts contributed six. William Garraway ventured his Ascension, which Cumberland had twice equipped and sent out in 1597, and also shared the ownership of two other ships, one with Cordell, the other with William Cockayne. Cordell, Shute and Sir Walter Raleigh each entered one ship and John Leye sailed his own pinnace, the Bark Ley.<sup>1</sup> The chief interest in the voyage appears to have been held by Cumberland, Bayning and Sir John Hart, a grocer and Yorkshireman by birth.<sup>2</sup> Bayning and Hart were concerned, with the Earl, in the Malice Scourge and Bayning also shared in the investments made by the city merchants in the other ships in the fleet.<sup>3</sup> The proportions of the individual investments are not known.

The corollary of the privateering agreements was the Earl's private financial arrangements which preceded the voyage.<sup>4</sup> These reveal his dependence on the London merchants

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1. Andrews, 349.
  2. Trafford, Personnel of the Parliament of 1593, 229-30.
  3. Williamson, 202.
  4. The reduction of the Earl's London debts preparatory to these financial arrangements and the transfer of a large part of his commitments to his Craven estates have been described supra, Chapter II, section iii, pp. 62-4.

for financial support. On the 20th December, he sold his manor of Brancepeth. The farm of Binchester went to its occupant, Charles Wren, for £800.<sup>1</sup> The purchasers of the manor itself however, for £4,400, were John Watts, Paul Bayning and Thomas Alleblaster.<sup>2</sup> This sale, with the £2,000 raised on the mortgage of Eshton, probably satisfied the Earl's immediate need for ready money. But it did not solve all his financial difficulties. Since his mortgage of Bolton to Peter Houghton and the conveyance of the manor to Houghton and Nicholas Stephens, haberdasher of London,<sup>3</sup> Houghton had died. Stephens was an executor of his will. There may have been a demand for the repayment of the mortgage money; at any rate, the arrangement was not satisfactory. On the 21st December, the day following the sale of Brancepeth, the Bolton mortgage was transferred to Thomas Cordell and Robert Chamberlain, ironmonger of London,<sup>4</sup> and the manor conveyed by Cumberland and Stephens to Cordell, Chamberlain, John Bird, William Shute, Haunceus van Huste, Giles Fleming, John Newton and Thomas Paradine.<sup>5</sup> Fleming had previously ventured

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1. C 54/1579.
  2. C 54/1578.
  3. C 54/1571.
  4. L.C. 4/193/330.
  5. C 66/1480; Yorks. Fines, Tudor, IV, 89.

in privateering enterprises.<sup>1</sup> Huste was a beerbrewer, a Spaniard long resident in London.<sup>2</sup> Bolton remained in mortgage to Cordell and Chamberlain until 1610. Both had died by the time the last payment on the redemption was made, in 1613, to William Garraway, who had assumed responsibility for Chamberlain's affairs, if not Cordell's.<sup>3</sup>

These arrangements emphasise the inter-relation of the financial and privateering aspects of the merchant privateers' association with Cumberland. The merchants' basic function as suppliers of commodities suggests the third aspect of their association. The wide representation of the city livery companies in the great merchants who invested in the 1598 expedition and the number of those who sailed in person warrant the belief that it would not only be natural for them to co-operate in equipping the fleet but in their interests to do so. They would, in all probability, be responsible for furnishing Cumberland's vessels. The fact that one of them, William Shute, supplied goods worth £1,000 to the Earl's ships supports the conjecture.<sup>4</sup> It is likely that much of the £7,200 Cumberland raised from Brancepeth and Eshton and especially the £4,400 he received from Watts,

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1. Andrews, 275, n.3.
  2. R.E.G. and E.F. Kirk, *Returns of Aliens in London*, pt.II, 1571-1597, Huguenot Society Publications, x, pt.II, (Aberdeen, 1902), 92.
  3. Bolton MS. Bk.104, f.4b.
  4. See supra, Chapter II, p.66.

Bayning and Alleblaster similarly passed into the hands of the merchant privateers.

One result of this study of Cumberland's association with the London privateering merchants is that the conception that has hitherto been held of Cumberland's position in the Puerto Rican expedition must be modified. Although the inspiration for the venture came from him and the command of the fleet was vested in him, his ability to invest in the enterprise rested on the decision of the city merchants whom he interested in the voyage. It is, perhaps, a measure of his reputation and his character that he could persuade them to continue to finance him as well as to venture on their own account.<sup>1</sup>

There was, as has been seen, a change in the composition of the 3rd Earl's known creditors from a miscellaneous selection of lawyers, merchants, officials and landed gentry to a coherent group of wealthy merchants with whom he was closely allied in privateering. In them, he found the facility to finance his privateering activities and an identity of outlook and interest. The dual nature of his dependence on them, even if it was peculiar to Cumberland's career alone, is an illustration of the dominance of the London merchants in the spheres of large-scale privateering

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1. Dr. Andrews, (p.56) has stressed the importance of the London merchants in the expedition, but his conclusions were necessarily limited by the evidence then available.



and financing at the close of the sixteenth century. Cumberland's success in both the strategic and pecuniary aspects of the 1598 expedition was bound up with theirs.

It is clear, however, that Cumberland's connection with them was the result as much of choice as of compulsion, for besides the privateering he was associated with them in the East India Company. In the grant of the Company's charter Cumberland was placed first in precedence as the only nobleman in the list of promoters. The remaining grantees included Hart, Bayning, Holliday, Watts, Lancaster, Cordell, Garraway, Bartholomew Barnes, Chamberlain, Alleblaster and Thomas Symonds.<sup>1</sup> When the Earl sold the Malice Scourge to the company, the commissioners for the sale were Bayning and Holliday for the company, Garraway and Alleblaster for himself.<sup>2</sup> Nor must it be forgotten that the Earl on at least one occasion sent a ship, the Pilgrim, to the West Indies on a purely trading venture.<sup>3</sup> Thus though not a privateering merchant, he can be regarded as a privateer with mercantile interests.

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1. Birdwood, loc.cit.
  2. Williamson, 211.
  3. See supra, Chapter II, p.72.

### iii. Conclusion.

The 3rd Earl's is a typical case of aristocratic indebtedness<sup>1</sup> and his methods of borrowing were those common to the late Elizabethan period. The attitude of his creditors, like their composition, can also be regarded as typical. In granting him loans on recognizances or mortgages, their purpose was to make an investment with a regular and assured return. Although the initial loans were usually for six months, many of the creditors were content to prolong the debt indefinitely. The long periods that often elapsed before repayment was made bear witness to this. The creditors' concern was for the payment of interest and the ultimate recovery of the capital.

This concern is apparent when the Earl's mortgages to his creditors in London are considered. When Cumberland failed to redeem his mortgaged manors, his creditors found possession of them something of an embarrassment. Humfrey Weld willingly sold Maltby shortly after it became his. Petre and Morley, similarly, sold Cowthorpe immediately and Hart after retaining it for only a year. Petre, Freke and Crompton returned Brancepeth to the Earl when they had had full legal possession for over a year, Standen and Young after holding it for six years. The only case of speculation

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1. See infra, Chapter VI, pp. 170-1.

in the land market was Petre and Morley's sale of Hart.

The Earl's creditors without northern interests would not want to be encumbered with manors in the north and would, no doubt, seek property closer to where their interests lay. Edmond Standen, for example, bought two manors in Berkshire in 1589, Arborfield, which he made his family seat, and Barkham.<sup>1</sup> Some of the Earl's creditors with northern interests, however, were keen to obtain such property as the Earl's mortgages offered. Stanhope, Wright and Walmesley, who purchased Maltby and Cowthorpe, and Bindlose and Braithwaite, who retained Eshton and Wevendrewath, obviously intended to add those acquisitions to lands they already held.

Wright and Walmesley bought other lands from the Earl early in his career and Bindlose later acquired valuable parts of his Craven property.<sup>2</sup> Stanhope, Wright and Walmesley were lawyers of northern stock, presumably intent on providing a settled inheritance in land from the profits of their legal and, with Walmesley at least, money-lending activities. Stanhope and Walmesley, moreover, ensured that they would retain the manors they bought, as if suitable property for creating a landed inheritance were not easy to come by.<sup>3</sup> It is noteworthy, also, that Watts, Bayning

1. V.C.H. Berks., 111, 201.

2. See supra, p. 66 and infra, pp. 129, 139, 141, 338.

3. They bound the Earl not to recover his manors from them (C 54/1249, 1278).

and Alleblaster held on to Brancēpeth for twelve years after their purchase in 1597,<sup>1</sup> although they did sell a small part of it in 1607.<sup>2</sup>

A comparison of Cumberland's creditors with those of other members of the nobility indicates that a wide choice of lenders was available for those who wished to borrow even large sums. The variety in the major creditors of the nobility can be seen in the list compiled by Mr. Stone.<sup>3</sup> But it is also apparent that a small number of men were able to invest large sums in money-lending. The same names constantly recur. Of those who had dealings with Cumberland, Bayning, Van Lore and James Anton were creditors of the 9th Earl of Northumberland.<sup>4</sup> The Earl of Derby borrowed from Houghton;<sup>5</sup> Essex from Houghton, Van Lore and Anton;<sup>6</sup> Lord Mounteagle also from Anton.<sup>7</sup> This is a topic which has not yet been investigated in any great detail.

1. S.P. 14/45/54.
2. C 54/1940.
3. Stone, Ec.H.R., xviii, 45-53.
4. Batho, Household Accounts of the Ninth Earl of Northumberland, 398 et seq.
5. Stone, Ec.H.R., xviii, 46.
6. Devereux Papers, vol.III, f.72; Stone, Ec.H.R., xviii, 34-5.
7. Stone, Ec.H.R., xviii, 35.

When other sources than statutes, the least rewarding source for loans, are studied, it is likely that many more names will become familiar as large-scale money-lenders and that some idea of the enormous scope of the London money market will then emerge.

The general impression given by Cumberland's debts, viewed against the background of borrowing by the nobility, is that there was a surplus of capital in the last decade of the sixteenth century in the hands of lawyers, government officials, even country gentlemen, but most of all merchants. This surplus capital was made available for borrowing partly because of the attraction and security of money-lending, but mainly because of the saturation of investment in more profitable, if more risky, commercial activities. At the close of the Earl's career, a great deal of capital was bound up in him and his creditors were compelled to wait several years more for the repayment of loans which by 1597 were long overdue. For example, the £5,000 lent him on the mortgage of Bolton were not fully repaid until 1613.<sup>1</sup> Other creditors, William Shute, James Anton and John Bird in particular, did not recover their loans until after 1620.<sup>2</sup>

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1. Bolton MS. Bk.104, f.4b.

2. Londesborough MS, D/7; L.C. 4/195/374.

With the dominance of the great city merchants as pronounced in Cumberland's creditors at the close of the century as they were soon to be in the Earl of Northumberland<sup>1</sup> and Lord Harrington's,<sup>2</sup> there are good grounds for accepting the view expressed by G.B. Parks and supported by Dr. Andrews that not only had a fund of fluid wealth accumulated but that it was concentrated especially in the hands of a limited group of merchants of great wealth.<sup>3</sup> To them, the 3rd Earl's privateering had offered opportunities to invest large sums in the certainty of profitable returns and with the Earl's great estates pledged as security for their investments.

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1. Batho, Household Accounts of the Ninth Earl of Northumberland, 134.
  2. H.R. Trevor-Roper, "The Gentry, 1540-1640", (Ec.H.R. supplement I, 1953), 23-4.
  3. Andrews, 144-5, 163-4.

CHAPTER IVTHE 3RD EARL'S ESTATE POLICY, 1602-1605Part I1. Preliminary Moves

After his return from the West Indies voyage in 1598, the Earl remained in London for over three years. In August 1599, he turned his accustomed zeal and ingenuity to the defence of London when the Spanish fleet appeared off the French coast.<sup>1</sup> In the spring of 1600 he was busy soliciting support for the cloth licence which he hoped to persuade the Queen to grant him.<sup>2</sup> Cumberland desired the licence as a means of easing the pressure of his debts, but the Queen rejected his first petition for it early in May. Cumberland protested to Cecil that his heart was near broken,

and if it were directly so, I should be glad, if honour and conscience continually awakened not my thoughts to consider the just scandal of the world and heavy burden to my soul, if I should end, as too many have done before me, leaving what I owe unsatisfied.

He regarded the rejection of his suit as much a slight on his honour as failure to pay his debts would be:

Wherefore, since after my long attendance, with neglect of my poor estate, adventure of my life, hate of all thoughts that were not for her Majesty's service or profit, I have gained no better opinion than to be a

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1. N.E. McClure, (Ed.), The Letters of John Chamberlain, (Philadelphia, 1939), 1, 81.
  2. H.M.C. Salisbury MSS., x, 113.

deceiver, it is time for me to creep into a corner where, hiding myself from company, my frugal course out of my own shall pay what down my last breathing I will heartily wish for.

He believed he had found a Fleming to buy one of his ships, but cared not whether he won or lost from the bargain for, he said, his thoughts

must turn from intercepting of carracks to sowing of corn, from rigging ship to breeding sheep, and from honour to clownish cogitations.

He hoped that if his suit ultimately failed Cecil would, as a last favour, draw "her Majesty's allowance to my private course in the country, where time and care shall scrape out of my own living to pay all men".<sup>1</sup>

In July he approached the Queen again, emphasising that he only wanted the licence so that he might pay his debts, but she answered him "with the old objection of her gracious dealing when the carrack was taken" at which he chose not to reply rather than "with speaking truth urge her Majesty's consideration, and so displease".<sup>2</sup> Hoping that the Queen in time would yield, Cumberland remained in London, though desperately short of money to maintain him there.<sup>3</sup> His patience was rewarded for at last she relented. The licence<sup>4</sup> was granted him on the 1st August 1601.

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1. H.M.C. Salisbury MSS., x, 138.
  2. Ibid. x, 234.
  3. Althorp, Cumberland Papers; John Taylor to Francis Clifford, 7th January 1601/2.
  4. Cal.S.P. Dom., Eliz., 1601-3, CCLxxxi, 44.



However, he was not yet able to leave London. If absent, he would have risked losing by the subtle and vehement opposition of the Merchant Adventurers what it had taken him so long to achieve. It was not till March 1602 that the dispute between the Earl and the Merchants over the terms of the licence ended.

Cumberland was now free to take his leave of London in the knowledge that the profits of the licence would help reduce his debts and turn to the business of raising what he could from his estates. He prepared to travel north before the end<sup>1</sup> of April. His intentions had preceded him, for his commissioners had already begun the first enquiries preliminary to the activities which were to last for the remainder of his life and transform the internal structure of his Craven estates.

In Cumberland's long absence from Skipton, the efficiency of his estate administration had suffered. His visits had been rare and mainly with the purpose of raising money. His Countess had lived at Skipton; not, however, recently and even then she had been thought too lenient to<sup>2</sup> the night hunters who preyed constantly on the Earl's deer.

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1. Althorp, Cumberland Papers; John Taylor to Francis Clifford, 7th March 1601/2; Cumberland to Clifford, 23rd March 1601/2. For a full account of the negotiations, see Chapter IX, pp. 255-7.
  2. B.M. Lansd. 61, f. 182.

In 1601, Francis Clifford in appointing Peter Watson Esq. of York as Steward of the Courts in Craven requested him to have a special care of the tenures and profits and to safeguard the woods, which he had heard were greatly spoiled.<sup>1</sup> Even the Earl was uncertain how his authority would be regarded in the north. When the Council, anticipating unrest at the Queen's decease, warned him to take extra-ordinary care to prevent disorders, he replied that he feared

that if the country (which as yet is all quiet) should see me, that never dealt in any country causes, now intermeddle in them, it would cause many idle conjectures amongst them.<sup>2</sup>

On his own estates his power was surer, yet conjectures there were none the less. His tenants had grown accustomed to rule by commissioners acting on the Earl's directions, always local gentlemen whom they knew and trusted. In 1602, Cumberland's needs were great and demanded special measures if he were to make the most of his resources. The needs were reflected in the policies adopted and in the attitude taken of how those policies might best be effected. The commissioners who came into Craven in April 1602 were strangers, not known in the district. They showed Cumberland's hand and signet on their warrant, but not

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1. Althorp, Cumberland Papers; 13th March 1601/2.
  2. H.M.C. Salisbury MSS., xii, 675.

the contents which, it was said, were in John Taylor's hand. Cumberland's officers and bailiffs obeyed them, since the authority was there to do so.

The task of these commissioners, with Mr. Russell the chief of them, was principally to lease the demesnes and parks normally let out on an annual basis. This year they were again to be leased at an "over-rent"; but the commissioner also requested that when the courts met the officers should present to the juries certain articles which they should be prepared to answer on the 24th of the month. The idea was to compile a true valuation of the whole of the estates. Each tenant was to declare the value of his tenement, as near as he could judge, as if let by the year at an over-rent; and also the acreage of land, meadow and pasture he possessed. A special note was to be taken of the number of tenements<sup>1</sup> available for re-leasing.

Thomas Ferrand and George Heles, both regular commissioners, wrote at once to Francis Clifford to explain what was happening. At the court held at Carleton on the 12th April, wrote Ferrand, the valuation was made but the jury and tenants thought the course strange and strict and were anxious to be assured of the Earl's goodness and pity.

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1. Althorp, Cumberland Papers: George Heles to Clifford, 13th April, 1602.

"It is a wonder", Ferrand continued,

to heare the murmuring of the people & especially of the porer sort, what ffeare allredy possessesthem; They nowe in Craven Longeth to see yor worshipp; They ar perswaded yow are coming, And in my opinion yf neither yow Mr. Ingelby Mr. Eltoftes nor Mr. Lister be in commission many here & straungers abroad will feare to medle with them or take his Lordships groundes, yf the rent be not over but under. If this were J<sup>ohn</sup>/T<sup>aylor's</sup>/practisse & policy to barre furth & exclud both yow & Mr Ingelby & the rest, It was but simple .... for the tenementes & other thinges which are in his Lordes handes according to such a strict cownse (as herein closed yow may see) ther may be more money raised in the Cuntry, then hath been ever heretofore, But the poore hopeth my Lord wilbe both Honorable & pitiful to them & in some respect respect their habilities. <sup>1</sup>

The proceedings begun by these unknown commissioners were too novel for them to carry out unaided. On the 28th April, it was Mr. Ingleby and one of the new commissioners, Mr. Webb, who were jointly responsible for compiling from the certificates of the bailiffs the long list of tenants whose holdings were now free to be leased at the Earl's pleasure. <sup>2</sup> Though it is apparent that the demesnes and parks had been rack-rented to the limit of their value, the re-granting of tenements that had fallen in by the termination of the lease or death of the tenant had been neglected. Probably the commissioners had been waiting for Cumberland's return to the north with the precise details of the policy to

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1. Althorp, Cumberland Papers: 12th April 1602.
  2. Bolton MS. Bk. 253, f.1.

be adopted. Cumberland's presence, at all events, was essential once the attitude of his new commissioners became known. He supervised in person the bargains that were made in the summer of 1602, signing the majority of them himself.<sup>1</sup>

At first, he was optimistic that his business in the north would not long delay his return to London. The encumbrance of his debts, he told Cecil, had long distracted his mind. However, he did not doubt that "a small time will clear these mischiefs".<sup>2</sup> On August 26th, he explained to Cecil that he was busy

most days doing nothing but making bargains with my tenants, who now (though it were long ere I could draw them to it) are yielding to so good a course as I hope will effect the purpose I came down for and clear my debts.<sup>3</sup>

Later he wrote, again to Cecil,

if you could get me this year freed from attendance at court<sup>7</sup>, I were very happy, for my business here are more tedious than I expected, and I leave the weightiest of them unfinished if now I come away.

He still hoped that "when this country business (which I hope will make me a free man, though with sale of some land) are ended, my daily courses shall clearly manifest".<sup>4</sup>

1. Skipton MS. A/34/1.
2. H.M.C. Salisbury MSS., xii, 227.
3. H.M.C. Salisbury MSS., xii, 321.
4. Ibid., 574.

He was throughout the summer months concerned lest his absence from court should occasion royal censure. He was anxious to keep Cecil informed of his activities, for he could rely upon Cecil to speak well of him. On October 12th he wrote once more to Cecil:

I do imagine my last letter makes you much wonder that I, who was so long in coming into the north, should be so slow to come out of it. The remembrance of my late miseries, and clear knowledge to raise as much as will free them, is the true cause.<sup>1</sup>

Towards the end of October, the first part of the task was nearing completion. The Earl arranged to travel to London on November 7th.<sup>2</sup> For the remaining years of his life he divided his attention mainly between London and Skipton. His journeys to London, in fact, interrupted his activities in Craven so that the policies begun in 1602 were barely completed at his death in October 1605. He also underestimated both his needs and the measures that would supply them; he left it to his brother to continue the work he had started. What the Earl's activities on the estates were in these years, will shortly be described in detail.

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1. H.M.C. Salisbury MSS., xii, 438.
  2. Ibid. 459.

# 11. The Craven Estates in 1602.

The estates in Craven had changed little since Cumberland inherited them in 1579. He had exchanged Marton manor for Eshton and also acquired Flasby in the period of his residence at Skipton. From Sir Ingram Clifford he had inherited Nesfield and West Hall, the moiety of the manor of Steeton and the moiety of Grassington to join to the half he already possessed.<sup>1</sup> In 1593, he bought 100 acres of land on Malham Moor<sup>2</sup> and in 1597,<sup>3</sup> 25 messuages in Malham and Malhamdale from the tenants. These holdings he immediately re-granted to them on leases of 5000 years "per Bonis Causis", without demanding entry fines.<sup>4</sup> His purchases had been small, but he had disposed of even less; only six messuages in Arncliffe in 1584.<sup>5</sup>

The tenurial structure of the Craven manors had, similarly, remained almost the same as on the 2nd Earl's decease in 1569. The only significant developments had been the grants of fee farms and long lease~~s~~ in 1588 and 1592 to 47 tenants in Carleton, Cononley, Lothersdale, Cracoe and

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1. See supra, Chapter I, pp. 16-17.
  2. Yorks. Fines, Tudor, III, 195.
  3. C 66/1462.
  4. Bolton MS. Bk. 266, ff.4-6.
  5. Yorks.Fines, Tudor, III, 29.

Scosthrop,<sup>1</sup> in 1598 to the tenants of Giggleswick for their stinted pastures and in 1600 to the four tenants of the hamlet of Rathmell in the same manor.<sup>2</sup> Otherwise, the Craven estates were, potentially, a vast source of wealth which Cumberland was free to convert to his own use when, in 1602, the need and the opportunity arose.

His attitude towards what might be achieved differed with the section of the estates with which he dealt. He showed greatest concern for the condition of the manors of the Clifford Fee, less for the Percy manors and least of all for the accretions to the estates since the death of the 2nd Earl. This solicitude for the original Craven estates and the Clifford Fee manors in particular had been a characteristic, natural enough, of all the Earl's previous land transactions and continued to be so under his successors.

This factor apart, Cumberland's policy was to take advantage of the varying potentialities of the manors. There were, however, two restrictions on his choice of measures to apply on a comprehensive scale. The manor of Bolton and the demesnes of Eshton were mortgaged and unless he redeemed them Cumberland could not interfere with their tenures.

1. Bolton MSS. Bks. 265, 266, passim.
2. Bolton MS. Bk. 260, f.12.



The second and more important restriction was his need to satisfy the large number of tenants who had lent him money on mortgages in 1597 and 1598.<sup>1</sup>

The description of the Earl's policies will be confined almost entirely to the Craven estates. Similar activity took place in Westmorland, though the nature of the measures is not known. The evidence that exists for the changes in Westmorland will be given in its appropriate context.

The tenants on the Clifford estates in Craven were freeholders, leaseholders or tenants holding at the will of the lord. Freeholders comprised a small but not insignificant number of all tenants, with the proportion of freeholders varying considerably from manor to manor. In Storithes, 3 tenants out of 33 were free;<sup>2</sup> in Giggleswick, 10 out of 72; in Settle, 26 out of 90<sup>3</sup> and in Gargrave 7 out of 47.<sup>4</sup>

The tenants at will were more numerous than the freeholders and comprised roughly a quarter of all the tenants. The bulk of the tenants, however, were leaseholders. A number of these held leases for long terms of years; one tenant had a lease for 80 years,<sup>5</sup> twenty-four had been granted

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1. See supra, pp.62-3 The mortgages are discussed infra, section iii, pp. 121-2.
  2. Skipton MS. A/31/1.
  3. Skipton MS. A/24/3.
  4. Skipton MS. A/31/7.
  5. W.H. Dawson, (Ed.), Loose Leaves of Craven History, 2nd ser., (Skipton, 1906), Chapter XLVI.

leases for 300 years earlier in the century and, in addition, there were those who held on the long leases granted by the 3rd Earl which have already been mentioned.<sup>1</sup> Apart from these, there were two main types of leaseholders. Most held on warrants for the joint lives of the Earl and tenant, the lease to expire on the death of either of them. The remainder had indentures for 2 $\frac{1}{2}$  years or two lives, with the majority holding for 21 years.<sup>2</sup>

Although there was a tendency for one form of tenure to predominate in the individual manors and a wider uniformity is discernible in the manors of the Percy Fee, there was much variety in tenure from manor to manor. In three of the Percy Fee manors, Settle, Giggleswick and Long Preston, virtually all the tenants held on warrants. In Littondale and Langstrothdale, although there were more indenture holders, the majority held on warrants. In Buckden and Starbotton, all the tenants held at will.<sup>3</sup> In Grassington, all the holdings had been granted on warrants in 1579.<sup>4</sup>

In the Clifford Fee, there were fewer warrants and a higher proportion of indentures, mainly for 21 years. In

1. Skipton MSS. A/24/2, 3.

2. Skipton MS. A/24/3. These two types of lease, though resembling one another, were in fact markedly different. The warrant, giving a lease for life, created a freehold estate and the indenture, giving a lease for years, created a chattel interest which could be bequeathed. On this point, see R.B. Pugh, (Ed.), Calendar of Antrobus Deeds Before 1625, (Wilts Arch. and Nat.Hist.Soc., Records Branch, Vol.III (Devizes, 1947), xxix-xli.

3. Skipton MS. A/24/3.

4. Whitaker, 559.

Cracoe, for example, George Burton held half the manor house and demesnes, called Threapland, on a long lease granted in 1588; Nicholas Burton held the other half on a 21 year lease; and in Cracoe itself there were 8 tenants holding by indenture, 13 on warrants and 3 at will. The lordship of Skipton, excluding the demesnes, was held on indentures or warrants, with the fair, market and shops leased for one life.<sup>1</sup> The tenures in the Clifford Fee can be illustrated from the records of leases granted after 1602. Out of 401 holdings surrendered between 1602 and 1605 whose new agreements were entered in the Estate Ledger, 183 had been held on warrants, whilst 94 others granted for 21 years and 18 for two lives had in all probability been held previously on such leases. The remaining 106 holdings had been tenancies at will. In the Clifford Fee the small tenements, closes, intakes and improvements from the moors were mainly held at will or on leases for 21 years and the larger tenements taken under warrants.<sup>2</sup> The Percy Fee tenures, as has been seen, were more stereotyped, with warrants the predominant type.

On the renewal of tenures, the Cliffords could demand an arbitrary entry fine or gressom.<sup>3</sup> In his Articles of Commission in 1553, the 2nd Earl laid down minimum entry

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1. Skipton, MS. A/24/3.
  2. Skipton Estate Ledger; MS. A/24/3.
  3. Mr. Pugh has discussed these 'beneficial leases' i.e. a lease with low rent and high entry fine, in Calendar of Antrobus Deeds, loc.cit.

fines for a lease of two lives of three years' rents and  
 for a 21 year lease of two years' rents for tenants in the  
 Clifford Fee and three years' rents for those in the Percy  
 Fee. The Commissioners were to increase the rate of the  
 fines at their discretion and did so dutifully, for the  
 gressoms on the Clifford Fee averaged between six and seven  
 years' rents.<sup>1</sup> Four years later, in granting the tenants  
 of Long Preston the right to enclose and partition their  
 pasture, Langber, the Earl set a fine of three years' rents  
 to be paid to himself and his heirs at every entry into and  
 alienation of the tenants' stints.<sup>2</sup>

When the 3rd Earl entered his estates in 1579, the  
 tenants of Skibeden petitioned him, offering him fourteen  
 years' rents as a fine and hoping that he would give them  
 "space of yeres ....to paye the same".<sup>3</sup> This offer was not  
 enough for the Earl. On the Clifford Fee manors the tenants  
 had to pay for the most part 15 years' rents and on the Percy  
 manors 18 years' rents.<sup>4</sup> In 1579, as in 1553, the tenants  
 on the Percy manors paid fines at a higher rate than those  
 of the Clifford Fee. The higher fine was probably a suitable  
 method of increasing the profit from the Percy manors which  
 was limited because the ancient rents had been reserved by  
 the Earls of Northumberland.

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1. Bolton MS. Bk. 245, ff.1,2.
  2. Bolton MS. Bk. 252, f. 1a.
  3. Bolton MS. Sundry IV, Petitions, 1.
  4. Skipton MS. A/24/1.

From some of their tenants the Cliffords could demand additional fines besides the usual entry fines. One of the customs of the manor of Skipton was that the tenants paid<sup>1</sup> every tenth year one year's rent by way of a gressom. In Grassington,<sup>2</sup> each tenant paid a gressom at the end of every five years. Although this custom does not seem to have been general throughout Craven, there are other instances of it. On the Norton's manor of Linton, adjacent to Grassington, which was forfeited to the Crown in 1569 and purchased by the 4th Earl in 1605, one year's rent was paid every tenth year as a gressom, but this custom fell into disuse in the years that the Crown held the manor.<sup>3</sup> Tenure on the Norton's manors before the 1569 Rebellion was in many ways similar to that on the Clifford estates. In Rilston, for example, the tenants were granted verbal leases for life and entry fines<sup>4</sup> were arbitrary. In Threshfield, however, there was a slight variation in custom. The tenants there paid a fine of one year's rent at every change of lord, but an arbitrary fine<sup>5</sup> at every change of tenant.

Though the ancient rents of the tenements provided the Clifford with a regular and predictable revenue and were a means of perpetuating their customary control over their

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1. Dawson, 58.
  2. Whetaker, 559.
  3. Ibid. 538.
  4. Ibid. 521.
  5. Ibid. 552.

property, it was rather to the fines and demesne rents that they looked for their profits. With the ancient rents virtually static in the second half of the century, the increase in the rate of entry fines from 6 or 7 years' rents in 1553 to between 15 and 18 in 1579 and 40 for the ordinary leasing in 1602<sup>1</sup> reflects no less than the rackrenting of the demesnes the rise in land values and the Cliffords' dependence on such measures for raising the revenues of their estates.

A large number of tenants on the Craven manors, it is clear, had at least the theoretical protection of leases or warrants whilst they were in possession. If Cumberland were to raise money from his estates, it would require persuasion if not coercion by him and his commissioners. The use of commissioners who were unknown inside Craven,<sup>2</sup> the presence at Skipton of Cumberland himself in the summer of 1602 and at all times later whenever the activity was renewed and his own remarks in August 1602 that his tenants were yielding to good purpose "though it were long ere I could draw them to it", are testimony to resistance from the tenants to the changes he desired to carry out. Not everywhere was this resistance overcome. In one extensive and traditionally independent area of Craven, the remote and northerly manors

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1. Skipton, Estate Ledger.

2. E.g. Mr Russell. He was one of Cumberland's most active commissioners until, at least, 1606. His servant Henry Plukenett was responsible for compiling the Estate Ledger.

of Buckden, Starbotten and Langstrothdale, the tenants successfully opposed Cumberland's policy, basing their contention on tenant-right. The outcome of this dispute<sup>1</sup> will be described in a later place.

### iii. The Estate Policy, 1. Tenurial Changes

Cumberland's first task in 1602 was to deal with the tenants whose holdings had reverted to his hands. These included a large number of small tenements, closes and improvements, with some tithes and mills, which it may be assumed had been let after 1579 on 21 year leases.<sup>2</sup> These holdings were now re-let on leases for 21 years, 1,2, or 3 lives, and 99 years and 2 lives, with one isolated grant of a tenure at will.<sup>3</sup> These terms are interesting in that for the first time leases of 3 lives natural and 99 years limited by the survival of lives were granted on the Clifford estates. Although there was little uniformity in the entry fines demanded, with variation between 20 and 60 years' rents, the average was about 40 for the small tenements, the rate for tithes and mills, relatively more lucrative holdings, being<sup>4</sup> much higher.

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1. See *infra*, Chapter V, section ii.

2. Bolton MS. Bk. 253.

3. Skipton, Estate Ledger.

4. Fines appear to have been based on the values of the holdings and not on a set rate per acre. This would be the most practical method of assessment in view of the variations in the fertility of the soil owing to the geography of the region.

Whilst these bargains were being made, Cumberland was considering how best to settle the complicated and urgent problem of the 1597 mortgages to his tenants. It was essential to come to an agreement with them before he could begin any major attempt to raise money from the Craven estates. The extent of the mortgaging did not make the task an easy one; this must first be considered before the form of redemption which the Earl persuaded the tenants to accept is described.

Cumberland had negotiated mortgages with 335 tenants on 21 manors in Craven, including the tenants of the capital messuages of Nesfield, Gargrave, Embsay, Cleatop in Settle and Woodhouse in Appletreewick.<sup>1</sup> The form of the mortgage was that the Earl, in exchange for a fine usually of 40 but sometimes of 50 or 60 years' ancient rent of the tenements, granted the tenant a lease for 5,000 years. He reserved the right to redeem the mortgage upon repayment of the full fine. The redemptions were "at my lordes pleasure" but probably fell due, as in Gargrave, at Candlemas 1603 (February 2nd, 1604).<sup>2</sup> Upon redemption, the tenant would again hold on his original tenure.

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1. These figures are based on an analysis of all known sources, especially Bolton MS. Bk. 249, the Estate Ledger and Skipton MSS. A/31/8, A/34/1.
  2. Skipton MS. A/31/7.



A high percentage of the tenants took mortgages in the Percy manors of Giggleswick, Settle and Grassington;<sup>1</sup> the lowest in the manors of the original Skipton Fee where in two manors, Skipton and Stirton & Thorlby, there were none,<sup>2</sup> in Barden only two and in Silsden 30 out of a total of 139. Bolton, mortgaged since 1596, could not be considered. In the northernmost manors, Buckden, Starbotten and Langstrothdale there were also no mortgages. The probable reason, tenant resistance, has been suggested earlier. Those tenants who took mortgages were not only a substantial proportion of all the tenants in Craven but included the richest tenants on many of the manors where mortgages were granted.<sup>3</sup>

Cumberland had raised £8,775.13.6 on the mortgages.<sup>4</sup> Unless he were to repay this sum or allow the redemptions to lapse, and both would be to his disadvantage, he would be compelled to conceive some method of acquitting himself of the debt without seriously impairing the tenurial structure of his estates. The solution which he found most acceptable was more than a method of satisfying his tenants for the loans to him. It enabled him to fit the mortgages into his scheme

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1. Giggleswick 48 out of 61; Settle 48 out of 62; Grassington 30 out of 38 (Bolton MS. Bk. 249, f. 2a et seq.).
  2. Bolton MS. Bk. 249 passim.
  3. This is clear from Bolton MS. Bk. 249.
  4. For the sources see supra p. 121, n.1.

for raising cash from his estates on a large scale. The first redemption was made in Silsden on August 8th 1602, but the majority of the tenants were not dealt with until 1603 and 1604. For the present, the description of the measures will be confined to the first rather tentative terms which the tenants accepted between August and October 1602.

The principal redemptions in these months were made in Silsden, with others in Gargrave, Cononley, Giggleswick and Haltongill hamlet in the manor of Litton. The tenants there surrendered their long leases, and warrants for life if they held them, released the Earl from the repayment of the mortgage money and for an additional payment to him received more favourable tenures than they had held before <sup>1</sup>1597.

Most tenants accepted leases for 99 years and 3 lives and paid an additional fine of 20 years' rent, that is half the mortgage money delivered in 1597. To release the Earl from the mortgage money and pay this further fine meant that for longer leases than they had previously held the tenants had paid 60 years' rent as a fine, two thirds in 1597, the final third in 1602. This was the specific policy which emerged after rather ad hoc arrangements in the first redemptions when some tenants accepted leases for 21 years, <sup>2</sup>2 lives and 99 years and 2 lives. These leases were not

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1. Skipton, Estate Ledger.
  2. Skipton, Estate Ledger, (Carleton).

altered when the form of redemption was settled, but the fines of three tenants which were rated at higher than the normal 20 years' rent were later reduced "ex grac comit."<sup>1</sup>

The form of the redemption was, after those early uncertainties, strictly applied. Only two tenants paid less than the normal redemption rate; the first on account of poverty,<sup>2</sup> the second, Richard Butterfield of Gargrave, because the 40 years' rent he had paid in 1597 was "above 4 years value"<sup>3</sup> of the tenement in 1602. Four years' value was an upper limit set on the fines paid for leases on redemption. Otherwise, the rate was uniform. This uniformity was, perhaps, convenient for the tenants as well as the Earl. The Earl certainly did not lose and may have gained from it, since the rate for the leases on redemption was above that for similar leases taken by tenants not in mortgage.<sup>4</sup> He expressed satisfaction, it will be recalled, on the way the tenants were yielding in August 1602,<sup>5</sup> though it

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1. One of these, Robert Craven of Woodhouse & Appletreewick, was the nephew of Sir William Craven, mercer, money-lender and Lord Mayor of London in 1611. (J.W. Clay, (Ed.), Dugdale's Visitation of Yorkshire, I, (Exeter, 1899), 214-5) The £12 of Craven's fine was remitted, significantly, at the request of Cumberland's creditor Thomas Paradine. (Skipton, Estate Ledger.)
  2. Skipton, Estate Ledger; John Falley of Halton.
  3. Skipton MS. A/34/1.
  4. Skipton, Estate Ledger.
  5. See supra, p. 110.

seems likely that he had to concede to the tenants as a result of collective bargaining the more favourable 99 year and 3 lives' lease compared with the first grants of 21 years or 2 lives.

In this first series of bargains made in the autumn of 1602, Cumberland released himself from the repayment of £651.0.6<sup>1</sup> lent to him in 1597. However, the redemptions, although essential, were only one aspect of his policy towards his estates. Before Cumberland's return from London in March 1603, one of his servants drew up a scheme for raising £35,000 from the Craven and Westmorland estates, including what had already been received from the leases made in 1602.<sup>2</sup> The course to be taken with the tenants still in mortgage was later appended to the scheme and was obviously the Earl's own decision. It is clear from this that Cumberland intended at first to apply the formula of a fine of 20 years' rent for a lease for 99 years and 3 lives to most of the mortgages not yet redeemed. At least three manors, Steeton, Nesfield and Grassington, he hoped to dispose of in a different manner, mainly by sales. In consequence, these manors did not come within the general plan of redemption, but the sales of the tenements and the leases made there did take account of the money advanced to the Earl in 1597.<sup>3</sup>

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1. All the figures given subsequently are based on an analysis of the Estate Ledger, except where other sources are quoted.
  2. Skipton MS. A/31/8.
  3. See *infra*, Chapter V, sec.1.

The first of two major developments in the Earl's policy after 1602 was to grant leases for 99 years and 3 lives to tenants, mostly in the Clifford Fee, who had not previously mortgaged their tenements and who could be persuaded to take them. Thus, in addition to the 122 tenants who took leases for 99 years and 3 lives on redemption, a further 145 accepted them in exchange for their former tenures by warrant, lease or at will. Of these, 82 surrendered warrants for life. Others relinquished leases for 21 years still in being and several widows exchanged their widows' estate in the moiety of the tenements they occupied for leases of the whole. One tenant, Christofer Rookyn of Barden, surrendered the estate for two lives he held in the moiety of a tenement, which had been granted on 20th July 1602, when he took the whole on 1st October 1604. After 1602, few tenants took leases other than for the term of 99 years and 3 lives except in Skipton and Bolton, where the majority of the new leases were for 21 years. Only 2 leases for 99 years and 1<sup>1</sup>/<sub>2</sub> life; 10 for 99 years and 2 lives; 2 for 2 lives, 3 for 3 lives and 1 for one life, were entered in the Estate Ledger after 1602 compared with 33 leases for 21 years, of which 22 were in Skipton and Bolton, and 145 for 99 years and 3 lives.

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1. Skipton, Estate Ledger.

For many tenants the granting of the new leases was the end of tenure at will, by warrant and on the short leases of 21 years or two lives. Within this context, the procedure taken to secure the release of the mortgage<sup>1</sup> money by grants of longer leases can be seen as one aspect of a general attempt to raise money from the estates by a change in the terms of tenure. It is more likely that the plan, at its inception, was to fit the redemptions into the wider scheme rather than that the terms of redemption inspired the granting of the longer leases to the tenants not in mortgage. However, this is not certain. Although the first leases for 99 years and 3 lives were granted in July 1602, three weeks before the redemptions began, the bulk of the ordinary leasing did not come until 1604. The large number of grants in that year and the change in the policy of redemption on the Percy manors, which will be described shortly, were the result of the Earl's desire to raise more<sup>1</sup> cash than the schemes then in hand would provide.

The second significant development in the Earl's policy concerned the manors of Settle, Giggleswick, Long Preston and Litton. Many tenants in these manors had taken mortgages in 1597. At first Cumberland was content to redeem the mortgages there in the same manner as those in Silsden and

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1. Cf. the increase in his indebtedness at this time noted by Williamson, Lady Anne Clifford, 35.

other Clifford Fee manors. The receipts expected from the additional fines on redemption in these manors were included in the calculation made in March 1603; moreover in 1602 two tenants in Giggleswick, in 1603 a tenant in Long Preston and in 1604 two more in Long Preston accepted redemption in the usual manner. In Litton, also, all 6 tenants in mortgage in the hamlet of Haltongill took leases for 99 years and 3 lives.<sup>1</sup>

The first of the bargains agreed before the Earl and his Counsel in August 1604 was with Elizabeth Altham of Settle, who took the normal redemption for her tenement. This, however, was cancelled and subsequent entries for August, September and October reveal the change in policy. Instead of the 20 years' fine for a lease for 99 years and 3 lives, the tenants agreed to pay 40 years' fine for the fee farm or long lease of their tenements, whilst, as previously, the mortgage money was taken into account. By paying what amounted to 80 years' fine, one half in 1597, the other in 1604, almost all the tenements previously mortgaged in Settle, Giggleswick, Long Preston and the village of Litton, came to be held in fee farm or on permanent long leases.<sup>2</sup>

Several other tenants on these manors, besides those in mortgage, also agreed to take long leases in 1604,

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1. Skipton, Estate Ledger.  
2. Skipton MS. A/34/1.

including the two Giggleswick tenants who had accepted 99 year and 3 lives' leases on redemption in 1602. Four tenants<sup>1</sup> on Clifford Fee manor took long leases at this time. The mills in the Percy manors were similarly granted out. Thomas Barrows of Skipton paid a fine of £275 for a 6,000 year lease of Settle mill.<sup>2</sup> The fee farm of Giggleswick and Long Preston mills was taken by Henry Denton gent for £384, but later transferred to Robert Bindlose Esq.<sup>3</sup> Cumberland also granted Arncliffe mill to John Taylor for 5,000 years.<sup>4</sup> In the grants, the full rents of the mills were reserved. The granting out of these mills was an exception to the leasing of Craven tithes and mills for 21 year terms, begun in the summer of 1602, which Cumberland resumed in 1604.

By 1605, fee farms or long leases were held by 54<sup>5</sup> tenants in Settle, 57 in Giggleswick, 16 in Long Preston and 9 in Littondale.<sup>6</sup> There was no attempt at this time, however, to convert all the tenures into long leases. In Giggleswick,

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1. Skipton MSS. A/34/1; A/32/3.
  2. Ferrand MSS., Series C, 134, 335.
  3. Ibid.; Skipton MS. A/34/1.
  4. Skipton MS. A/32/3.
  5. Bolton Abbey MS. 2/1/170.
  6. Skipton MS. A/32/3.



there were still four tenants on leases for years or lives in 1606; in Settle five on leases or at will, in Long Preston<sup>1</sup> 40 and in Litton 39, many of them, being very poor, still at will. The capital messuage of Cleatop in Settle, which had yielded £495 in 1597, was in lease for 12 years in 1605 and it is unlikely that Cumberland redeemed it in the same way as the other tenements.<sup>2</sup> What the arrangement was is not recorded.

The grant of a long lease for the additional payment of 40 years' rent was the second main form of redemption which Cumberland adopted between 1602 and 1605. It was applied less extensively than the 99 years and 3 lives' lease for 20 years' fine, but it was important not only because it was the form of redemption in the four large Percy manors, but because after 1605 the long lease gradually superseded the 99 year and 3 lives leases throughout the manors of the Clifford lands in Craven. To this extent, the medium lease of terms of 99 years and 3 lives<sup>3</sup> can be

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1. Bolton Abbey MS. 2/1/170.
  2. Skipton MS. A/32/3.
  3. The use of the terms short; medium; and long; for leases for 21 years or 2 lives; 99 years and 3 lives or 3 lives natural; and e.g. 5,000 years; may be thought arbitrary in view of the legal definition of a long lease as 21 years or over. But the difference between the three types of lease on the Craven estates was marked and was recognised de facto by the Earl and his estate officers. The term "long lease" was specifically used as meaning leases of e.g. 5,000 years. The estate officers also regarded fee farm and long lease as virtually interchangeable terms and the equivalent of the purchase of the tenement. The technical distinction, however, was  
/contd.

regarded as an interim stage in the transition from the traditional forms of tenure. Between 1602 and 1605, however, both types of lease were no more than a satisfactory solution to Cumberland's immediate difficulties. Applied in similar fashion to different parts of the estates, they were a means of evading repayment of the money loaned to him in 1597 and, at the same time, of raising cash from the estates in substantial amounts.

The medium leases granted on redemption yielded £325.10.3. in 1602 and £1,602.8.11 in the later years; the long leases, £2,770.13.0<sup>1</sup><sub>2</sub>. In all, therefore, the redemptions contributed £4,698.12.2<sup>1</sup><sub>2</sub> to Cumberland's receipts from the estates in these years. This figure does not include the money received from Grassington, Steeton and Nesfield. The different arrangements in these three  
reference 3 continued:-

preserved, e.g. in Settle, 36 tenants held in fee farm and 18 "by lease for sixe or seven thousand yeares". In Giggleswick, all 52 tenants were granted long leases (Bolton Abbey MS. 2/1/170). What prompted the variation, especially in the length of the leases between 3,000 and 7,000 years, is not clear. Mr. Stone may be justified in describing the medium leases granted by the 3rd Earl in 1602 as "long leases", (Ec. H.R., xviii, 19), and thus comparable with those granted by the Earl of Essex, (Ec.H.R. 2nd. ser. iv, 305), but Cumberland and his officers would have meant by that term leases for 5,000 years.

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1. For details, see Table C.

manors will be discussed in the following chapter.

The 3rd Earl received from the general leasing, that is from the leases of tithes, mills and the tenements not in mortgage, a minimum total of £3,259.7.4 in 1602 (the details are not complete), and £6,284.7.6 in the years 1603 to 1605.<sup>1</sup> However, the bulk of Cumberland's receipts in the whole period 1602 to 1605 came from other sources. Those sources will be discussed in the next chapter and Cumberland's receipts from them and from the general leasing outlined in this chapter will be given in detail.

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1. See Table C.

CHAPTER VTHE 3RD EARL'S ESTATE POLICY, 1602-1605.Part II1. The Estate Policy, 2. Sales

The dominating theme in Cumberland's estate policy between 1602 and 1605 was the effort to raise money. The redemptions and the general leasing were but two aspects of a comprehensive scheme to raise money on a scale commensurate with his needs. They were to contribute less than half the expected total when the first estimate of receipts was made in March 1603 and it is evident that, with the modifications in policy which followed, they ultimately contributed a smaller proportion than was then intended.

Cumberland's other proposals involved the conversion into cash of some of the most valuable assets of the Craven estates: individual manors, capital messuages, demesnes and woods, by a variety of methods; outright sales, fee farms grants and long leases with nominal or full rents reserved. His choice of method was determined by the condition of the manor and his eagerness to make the most favourable terms he could. From the first he was able to

negotiate sales with freedom, but the granting of long leases was in part dependent on the successful bargaining over the redemptions in 1602 and thus was delayed until his second phase of activity in 1604.

The manors most affected by Cumberland's sales were Grassington, Steeton, Nesfield, Eshton, West Hall and Gargrave, most of which he had acquired during his own tenure<sup>1</sup> of the Clifford inheritance. Since there was much variation in the manner of disposing of the lands and in the affect on the structure of the manors, the sales will be discussed in detail.

Grassington consisted of the manor house and mill, a wood called Grass Wood with some ground adjoining and 37<sup>2</sup> tenements with a total rental in 1603 of £48.11.7. In 1597, 30 of the tenements had been mortgaged on the same terms as in the other Craven manors.<sup>3</sup> The Earl from the first had no intention of redeeming these in the normal manner. In a detailed survey of the manor in 1603, one of his officers noted sixteen tenants who he thought were "able to Take their tenements by lease or purchase".<sup>4</sup> These were the larger holdings and all had been mortgaged in 1597. They were expected to contribute £3,000 in the scheme for raising<sup>5</sup> £35,000.

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1. The 2nd Earl had bought Gargrave and one half of Grassington. See *supra*, Chapter I, p.12

2. Skipton MS. A/31/9.

3. Bolton MS. Bk.249, f.4a. *et seq.*

4. Skipton MS. A/31/9.

5. Skipton MS. A/31/8.

Later, there was a change of policy. The manor house and mill were granted in fee farm and not 16 but 31 of the tenants took the fee farm of their holdings. Grass wood, however, was retained by Cumberland and so were six tenements, five of the tenants being too poor to pay the price asked whilst the sixth holding was still in mortgage in 1606.<sup>1</sup>

The fines paid for these grants totalled £5,279.13.4,<sup>2</sup> but since this figure included the mortgage money of £888.15.4 Cumberland's cash receipts from Grassington were £4,390.18.0. The Earl reserved rents mostly of 1d or  $\frac{1}{2}$ d on the fee farms so that nominally the entire manor remained in his possession. Even so, the presence of these tenants on the rentroll was hardly consistent with their contribution to the estate revenues for as a result of the grants the rents of £31.14.2 for the tenements and £2 for the mill formerly paid had been reduced to £0.5.6. The yearly income from Grassington fell from £48.11.7 to £15.8.5, of which by far the greater part, £13.6.8, came from Grass wood and the close of meadow adjoining.<sup>3</sup>

The Earl had inherited half the manor of Steeton & Eastburn with lands in Glusburn from Sir Ingram Clifford.

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1. Skipton MS. A/32/3.
  2. Whitaker, 559.
  3. Skipton MS. A/32/3.

The rental of the full manor in 1602 was £27.11.9.<sup>1</sup> Between 1596 and 1600 the tenants of Steeton, Eastburn and Glusburn had purchased one quarter of the manor from its owner, William Oglethorpe Esq. of Leeds.<sup>2</sup> By 1604, Cumberland had also sold his share of the manor entirely, partly to the tenants, partly to two land speculators, William Slater of Keighley and John Midgley.

In the autumn of 1602, Cumberland was trying to persuade the tenants of Steeton to purchase the "moiety of the fee" of the holdings. Seven of them, occupying the larger tenements, and one tenant of Glusburn did so.<sup>3</sup> The next stage in the sale of the manor was delayed until 1604. Then William Garforth, who held the manor house, demesnes and 330 acres of ground, took the fee of his property for £200. On the 11th September, Richard Hudson of Glusburn bought his tenement for £65 and on the 13th William Slater agreed to pay £570 "for the ffee of the moytie of xxxiiii tenements and Cotages". The tenements Slater bought included those whose occupiers, like Widow Hustler, had been too poor to buy their holdings, Richard Whiteacres' whose attitude elicited

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1. Skipton MS. A/32/1.
  2. Yorks. Fines. Tudor, IV, 53,151,152.
  3. Skipton MS. A/34/1.

the comment "refused & solde to Slaughter", and others for which leases had been agreed and the fines already paid to the Earl. The Earl repudiated these agreements, repaid the fines and £21.4.4 mortgage money to Slater who allowed them in the fines the tenants now paid to him. In addition, Slater and Midgley bought the moiety of the water corn mill. For all their purchases they paid Cumberland £700.<sup>1</sup> The sale of Steeton & Eastburn and the two tenements in Glusburn brought Cumberland £1,261, besides the release of £77.6.0 mortgage money. The fall in his rental as a result of the sale was £13.18.0.<sup>2</sup>

The later history of the manor is interesting. William Garforth had already acquired one quarter of his manor house in 1600.<sup>3</sup> His son completed the process in 1613 when he bought the final quarter from Sir Gervase Clifton. Garforth also acquired Cumberland's moiety of the Steeton tenements from Slater and Midgley, who retained it only until 1607.<sup>4</sup> By 1613, then, practically the whole of the manor had passed to the Garforth family.

With Nesfield & Langbar, West Hall and Eshton, the procedure taken was more straightforward. Cumberland sold the manor of West Hall in its entirety to Anthony Tomlinson in

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1. Skipton MS. A/34/1; Bolton MS. Bk. 226, f.258.
  2. Skipton MS. A/32/3.
  3. Yorks. Fines, Tudor, IV, 153.
  4. Dawson, Loose Leaves of Craven History, 2nd ser., 254.



1602, reserving the woods which he sold separately. West Hall a small manor, brought him £1,300.<sup>1</sup> In the case of Nesfield and Eshton the method that Cumberland adopted was to sell the capital messuage and demesne and grant long leases to the other tenants.

In 1602, Cecilie Wright, widow of the former lessee, agreed to pay £400, including the release of £80 mortgage money, for a lease of the capital messuage in Nesfield for 5,000 years. Later, the long lease was altered to the grant of the fee simple of the tenement. The sandbeds in Nesfield were sold to Richard Dawson for £64 and the release of £16 mortgage money. All but one of the remaining tenements, 12 in all, were granted to the tenants in 1604 on leases for 6,000 years for £529.18.4 over and above £252.5.0 paid on the 1597 mortgages.<sup>2</sup> Cumberland, therefore, raised from Nesfield £913.18.4 besides the £348.5.0 previously received on the mortgages. He reserved the full rents of the tenements on long leases, so the rental of the manor fell only by the outright sale of the capital messuage and the sandbeds, £2 and 10/- respectively, to £11.1.8.<sup>3</sup>

In September 1605, Cumberland was due to redeem the mortgage of Eshton manor house which Robert Bindlose Esq. had

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1. Skipton MS. A/34/1.
  2. Ibid.
  3. Skipton MS. A/32/3.

taken in 1597.<sup>1</sup> Bindlose had occupied the demesnes in lieu of interest and was rackrenting them. In 1602 they were worth<sup>2</sup> £129; in 1604, £140.<sup>3</sup> Cumberland first proposed to sell the property to Martyn and Michael Lister Esqs, for £2,125. He later revoked this agreement in favour of allowing Bindlose to retain possession. The sale price was £2,100, consisting of the £2,000 advanced on the mortgage in 1597 and £100 which Bindlose now paid the Earl in cash. Cumberland added to this sum by granting 15 of the 25 ordinary tenants of the manor the fee farm of their holdings. By this means he raised a further<sup>4</sup> £457. He reserved nominal rents of 2/5d, compared with £7 the tenants previously paid. The value of Eshton decreased from £148.19.5 in 1604 to £2.1.10 in 1606, the sale of the rackrented demesnes accounting for almost all<sup>5</sup> the loss in revenue.

The demesnes of Gargrave had also been racked in 1602, but in this case by the Earl himself. The mill, whose lease had recently fallen in, was paying £18 a year; the Hawes close £10; a close called Raburge £23.6.8; some smaller closes £5.8.0 and the boons - ten geese, twenty hens, twenty-four capons, twelve eggs and six hares - in money and racked, £1.5.0. The total of the demesne rents "at Rackment" was

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1. See *supra*, Chapter II, pp. 65, 66.
  2. Skipton MS. A/31/6.
  3. Skipton MS. A/32/3.
  4. Skipton MS. A/34/1.
  5. Skipton MS. A/32/3.

£57.19.8.<sup>1</sup>

Cumberland leased the mill to Anthony Dawson for a fine of £111 and a rent of £1 per annum. He sold the capital messuage and its 16 oxgangs of enclosed demesne land to the occupant, Edward Malham gent, for £300 besides the release of £100 lent in 1597; the Hawes close and Raburge close, at the time in the occupation of Robert Bindlose, to William Bentley and Caleb Waterhouse respectively for £170 and £360.<sup>2</sup> From these sales the Earl received £830 in cash: the rental of the whole manor was reduced from £76.0.2 in 1602 to £19.13.11 in 1606. Although the leasing of the mill accounted for part of the fall in the rental, the decrease was mainly due to the sale of the capital messuage. Henceforth, the manor of Gargrave consisted entirely of the smaller holdings of the tenants, most of whom now held, as in other Clifford Fee manors, on leases for 99 years and 3 lives.<sup>3</sup>

The remaining major sales of land concluded by Cumberland of which there is certain record were in Littondale in the Percy Fee. Apart from the village of Litton, the manor of Littondale consisted of isolated hamlets and farms. Three of the large farms, Upper Hesledon, Nether Hesledon and Sleights, were sold by the Earl in 1604.

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1. Skipton MS. A/31/7.
  2. Skipton MS. A/34/1.
  3. Skipton MS. A/32/3.

Robert Bindlose paid £960 for Nether Hesledon,<sup>1</sup> which had been yielding £66.13.4 in the year of the sale. Cumberland granted the other two farms to Miles Fawcett on a lease for 6,000 years, with a nominal reserved rent of 4d.<sup>2</sup> The price Fawcett paid is not recorded, but if the ancient rent is taken as a basis for calculation Cumberland would have received about £1,500.<sup>3</sup>

The most decisive changes in the structure of the manors of the Craven estates were brought about by the sales and leases which have been described so far. They were accompanied by other grants only slightly less permanent in their affect on the inheritance. On November 17th 1604,

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1. Skipton MS. A/34/1.
  2. Skipton MS. A/32/3.
  3. I.e. 100 times the ancient rent; Sleights £11, Upper Hesledon £4.13.4. The price in the outright sales was based on the annual value of the land. 16 years' value was the average figure, but there was much variation within a range of 13 to 20 years' value, e.g. West Hall 13 years' value, Nether Hesledon 14<sup>1</sup>/<sub>2</sub>, Eshton 15, the sandbeds in Nesfield 16, Gargrave capital messuage 18<sup>1</sup>/<sub>2</sub>, Nesfield capital messuage 20. There is no indication of the reason for the wide divergency in the rates. Steeton was an exception, the sales there being calculated on the basis of 100 years' ancient rent of the holdings. This gave the Earl a less favourable bargain than if the price had been based on the annual value of his moiety of £143.10.0 (Skipton MS. A/32/1). The fines for the Grassington fee farms were rated at 16 years' value, for the Eshton fee farms at 65 years' ancient rents, for the Nesfield long leases at 100 years' ancient rents (Skipton MSS. A/31/9, A/34/1).

Cumberland granted the fee farm of the capital messuage and mill of the manor of Bradley to Edward Malham for £500, reserving the full rent of £5.5.9. On the following day, he made a similar bargain with Thomas Ferrand gent, granting him the capital messuage and two mills of Carleton for £850 and reserving the rent of £10. For £150 he released George Burton from the payment of £8.4.4. of his rent of £10.4.4 for the moiety of the capital messuage of Threapland in Cracoe which Burton held on a long lease granted in 1588.<sup>1</sup>

Cumberland, in addition, leased Elso and the Home grounds for a period of 3 lives to Michael Lister Esq for a fine of £700.<sup>2</sup> These holdings were essentially demesnes of the castle of Skipton and the lease was an exception to the general rule of rack-renting the demesnes annually. For one other transaction the evidence is incomplete, yet conclusive that a sale took place. Cumberland sold Winterwell Hall, alias Lambert Hall, in Skipton to John Baine. At the Earl's death in 1605, Baine had not fully paid for the purchase and the 4th Earl transferred the property to Christofer Wayneman and other tenants. Their last payment for the purchase was £210.<sup>3</sup> The full price is not recorded.

Cumberland supplemented his receipts from the sales of

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1. Skipton MS. A/34/1.
  2. Skipton MS. A/34/1.
  3. Bolton MS. Bk.226, f.258.

land by selling his timber rights on several of the Craven manors. In November 1602, Thomas Heber agreed to pay £135 for "all the woodes and under woodes at Long preston (to be rydd in three yeares)"<sup>1</sup>. Three tenants of Giggleswick paid £59.10.0 for leases for 99 years and 3 lives of the coppices in Giggleswick, with "libertie to fell Cutt stubb and carrie awaie" all woods and underwoods.<sup>2</sup> At Elso, "many trees" were sold, but only the first receipts from the sales, £120, are recorded. The actual income was much higher, though how big is not known since after the first receipts had been entered in the Book of Dimissions in 1602 the Receiver-general ordered his deputy to keep a separate account of the profits from woodsales.<sup>3</sup>

For the major wood sales between 1603 and 1605 there is little more than the estimates of what they would yield. The price of West Hall woods was set in 1603 at over £1,000, whilst Marton wood and other woods to be sold in Craven were expected to produce a further £1,500.<sup>4</sup> Despite the absence of certain evidence, there is no reason to doubt that these woods were sold and for at least the estimated figures.

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1. Skipton MS. A/34/1.
  2. Skipton, Estate Ledger.
  3. Skipton MS. A/34/1.
  4. Skipton MS. A/31/8.

### 11. The Receipts

How much, it may now be asked, did the policies begun by Cumberland in the spring of 1602 eventually yield? How far did the final receipts exceed the original expectations?

The first estimate, drawn up in March, 1603, was of £35,809.17.8. When this calculation was made, some receipts from sales and leases in Craven and Westmorland were assured. Fines totalling £7,309.17.8. had already come in from the small tenements leased and from other leases, including redemptions, in Silsden and Cononley, from sales in Steeton and Nesfield and some leases of tithes. In addition, £12,000 were expected from "estates to be made in Westmorland for which all the Tenants there have sealed Covenants untill my Lord have time to seall their Assurances". The remaining £16,500 would come from bargains in Craven not yet concluded for lack of time. The compiler of the estimate undertook to make the tenants pay the sums they had offered in those bargains.

This first estimate was clearly provisional! Many verbal agreements between tenants and commissioners had still to be approved by the Earl and he had yet to indicate the form of redemption to be adopted with the tenants still in mortgage. In the second estimate, made not long after the first, the general outline of source and method was retained, with some additions and alterations. The main

additions were an increase of £1,000 in Grassington's contribution and the inclusion for the first time of the £3,375.5.7 which the tenants still in mortgage would pay, at the rate of 20 years' ancient rent, for their medium leases. In this second estimate, Craven's share rose by £4,175.5.7 and the joint total from Craven and Westmorland<sup>1</sup> increased by that amount to £35,809.17.8.

The work of the Earl and his commissioners in the next two years was to implement the details of the policy summarised in the 1603 scheme. The estimated receipts were exceeded because of the changes in policy which led in 1604 to the higher fines from the redemptions in the Percy manors, the more extensive general leasing and the sales in Gargrave, Eshton and Littondale. Whether the estimated receipts of £12,000 from Westmorland were similarly augmented is not known.

In only one group of manors did Cumberland fail to persuade the tenants to accept the leases he offered. In the first estimate, Starbotten and Buckden were expected to yield £2,000 whilst the Birks, Green Field<sup>2</sup> and two other tenements in Langstrothdale were to be leased. Only one tenant on these manors, Thomas Heber Esq, did in fact take a lease before 1606 and the reason is obvious from the survey then made. The tenants of Langstrothdale, Buckden and Starbotten

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1. Skipton MS. A/31/8.

2. Skipton MS. A/31/8.



had "stood long in sute for tenant rightes".<sup>1</sup> In 1606, they continued their suit against the 4th Earl "therein to his great charge", and he took his cause to York Assizes on the 29th March, 1606.<sup>2</sup>

This opposition to the 3rd Earl's policy may account for the complete absence of mortgages in 1597 in these, the most northerly manors of the Clifford estates in Craven. It certainly frustrated his plans for raising money there after 1602. The outcome of the dispute, however, is not known.<sup>3</sup> Apparently the judgment did not go entirely against the claims of the tenants for although having previously held on warrants for life they surrendered their holdings to the 4th Earl, the entry fines they paid for new leases, varying between 15 and 20 years' rents, were only slightly higher than tenants there had paid to the 3rd Earl in 1597 and much below the rate demanded from tenants on other manors of the Craven estates.<sup>4</sup>

The final total of money raised by the 3rd Earl between 1602 and 1605 was £45,539.15.9½. The details are given in Table C. Although this total must be regarded as a minimum figure for receipts from some of the sales are incomplete,

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1. Skipton MS. A/32/3.
  2. Bolton MS. Bk. 226, f.162.
  3. The records for York Assizes are not extant for this early date. (Giuseppi, *op.cit.* I, 242-3).
  4. Bolton MS. Bk. 226, title 3.

TABLE C

The Receipts from Sales and Leases made in Craven and Westmorland by the 3rd Earl, 1602 - 1605.1

A. Craven

a. 1602

i. <u>Sales</u> of:-	
<u>Steeton</u>	£ 296. 0. 0
Nesfield capital message	384. 0. 0
West Hall	1,300. 0. 0
Cracoe capital message rent	<u>150. 0. 0</u>
	2,130. 0. 0
ii. <u>Leases</u>	
<u>On the redemptions</u>	325.10. 3
Other Leases	2,223. 7. 4
Leases of Tithes	<u>966. 0. 0</u>
	3,514.17. 7
iii. <u>Woods sold</u>	255. 0. 0
	<u>5,899.17.7</u>

Balance from:-  
Leases of tithes,  
Leases of small tenements  
before June 1602,  
Sales of woods,

to:-  
7,309.17.8

b. 1603-5

i. <u>Sales</u> of:-	
<u>Steeton</u>	943.15. 8
Gargrave capital message	830. 0. 0
Eshton capital message	100. 0. 0
Nether Hesledon	960. 0. 0
Lambert Hall	<u>210. 0. 0</u>
	3,043.15. 8

1603-5(contd.)

ii. Long Leases - nominal rents reserved.

Grassington	£ 4,390.18. 0
Over Hesledon and Sleights	1,500. 0. 0
Eshton	457. 0. 0
	<u>6,347.18. 0</u>

iii. Long Leases - full rents reserved.

<u>Nesfield</u>	529.18. 4
Carleton cap. messuage	850. 0. 0
Bradley cap. messuage	500. 0. 0
Green Field	200. 0. 0
Appletreewick	155. 0. 0
Cononley	36.16. 8
Settle, on redemptions	1,085.15. 0
Giggleswick, on redemptions.	1,367.18. 0 $\frac{1}{2}$
Long Preston, on redemptions.	144.10.10
Litton, on redemptions.	172. 9. 2
Mills	709. 0. 0
	<u>5,751. 8. 0<math>\frac{1}{2}</math></u>

iv. Other Leases  
On the redemptions.

Silsden	1,602. 8.11
Rest of the tenants	1,312.19.10 $\frac{1}{2}$
Home Grounds & Elso	3,785. 7. 7 $\frac{1}{2}$
Tithes	700. 0. 0
Mills	700. 0. 0
	486. 0. 0
	<u>8,586.16. 5</u>

v. Woods sold

	2,500. 0. 0
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	£ 26,229.18.1 $\frac{1}{2}$
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Total Receipts from Craven:-

	<u>£33,539.15.9<math>\frac{1}{2}</math></u>
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B. Westmorland

a. 1602

£3,000. 0. 0

b. 1603-5

9,000. 0. 0

Receipts from Westmorland:- £ 12,000. 0. 0

Total Receipts, 1602-5, :- £ 45,539.15. 9½

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Note 1

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The main sources for these figures are Skipton MSS. A/31/8, A/34/1, A/32/3 and the Estate Ledger.

the amount actually raised may not have greatly exceeded that total. Any great deficiency in the records of sales in Craven, woods apart, would be apparent from the 1606 survey.<sup>1</sup> The total does not include the normal income from tenement and demesne rents between 1602 and 1605.

One factor on which Cumberland's policy depended was the ability of his tenants to pay the sums he needed. In spite of their early reluctance to make bargains with him, evidence that they were unable to pay the fines for their leases is rare. There were two reasons for this. As in the 1597 mortgaging, the very poor tenants were excluded from the general pressure to take longer leases. In 1605, consequently, there were still many tenants holding at will, and, except in the northernmost Percy manors, these were the poor tenants. In Eshton, for example, those tenements not held in fee farm were, with a single exception, "poore Cotages & lands in possession of poorest tenants". In Littondale, well over half the rents came from tenants at will - "whereof many very poore"<sup>2</sup>.

The second reason was the time given the tenants to pay

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1. Skipton MS. A/32/3.
  2. Skipton MS. A/32/3.

their fines. William Somerscales, for example, paid the additional £60 for his lease in three instalments; £20 at St. Luke's 1602, £20 at Trinity day and the last £20 at St. Luke's 1603, a period of 14 months from the date of the bargain. The tenants in the Percy manors who took long leases in August, September and October 1604 had "three Andermas daies ffor payment of the ffynes equallye."<sup>1</sup> The last payment of the fines, therefore, was not due until at least two years and a month after the bargains were agreed; an appreciably longer period than the six months given to pay the same sum on the mortgages of 1597.<sup>2</sup> There are, as a result, only 7 recorded cases where tenants had difficulty in paying their fines. Lancelot Foote in Eshton was one. He was allowed 6 months before paying the first part of the fine for his fee farm grant as a special concession.<sup>3</sup> William Smythe of Bradley "wanting monie to paie his ffyne" intreated the Earl to grant an intake to Henry Wilkinson "who gave consideracon to Smith for the same" which enabled Smyth to pay his £13.6.8 fine. The other cases were similar.<sup>4</sup>

It is not possible to state with certainty what the fate was of all those poorer tenants who in 1602 expressed fears of impending events. With their small holdings loose

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1. Skipton MS. A/34/1.
  2. Bolton MS. Bk. 249, f.14 et seq.
  3. Skipton MS. A/34/1.
  4. Skipton, Estate Ledger.

and strange policies rumoured, heavy fines or eviction might well have appeared the disquieting alternatives. However, such fines as were entered in the Estate Ledger for these tenements were uniformly low; nor is there any evidence of eviction.<sup>1</sup> One can infer, then, that they were fairly treated. At other times, both the 3rd and 4th Earls were considerate towards their poor associates, tenants and debtors alike.<sup>2</sup> There seems no reason why this occasion should find them less sympathetic.

The richer tenants, yeomen as well as gentry, who bought the larger properties seem to have had no difficulty in raising the money to pay for their purchases on the appointed days, although several bought on a big scale. Of the gentry, Caleb Waterhouse gent paid £1,030 in three instalments by February '1606 for the grants he took in 1604; Thomas Ferrand gent at least £1,030; Robert Bindlose Esq £1,444, which he paid by the 25th March 1606.<sup>3</sup> Purchases by Edward Malham gent cost him £800, by Stephen Tempest gent £366. Big buyers below the gentry class were Anthony Tomlinson, Miles Fawcett and Robert Goodgion who spent respectively £1,300; at least £1,500 and £482. Some of these men may have raised the cash for their purchases on loans.

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1. Ibid.
  2. See infra, Chapter XI, p. 354.
  3. Skipton MS. A/34/1.

Bindlose appears to have done so.<sup>1</sup> But that such insignificant local gentry were in a position to buy land on the scale described is an indication of their prosperous condition.

Only Slater and Midgley, who bought the Steeton tenements for £700, speculated on a short term basis. The remainder were land-hungry gentry and yeomen, all but one local men whose families were indigenous to Craven. The exception was Bindlose but he too settled in Craven, migrating from Barwick in Lancashire to the Eshton Hall he had recently bought.<sup>2</sup> He certainly did not confine his acquisitive instincts to the Clifford estates.<sup>3</sup> Whether the other gentry on the Craven manors emulated him is a question, instructive though it would be, which cannot be answered.

### iii. The Effects of the Policy

It was inevitable that in converting the capital assets of his Craven estates into cash, the 3rd Earl diminished their value. Only two manors, Steeton & Eastburn and West Hall, were completely sold. Cumberland, however, retained little more than a nominal interest in Grassington and Eshton and he sold much land on other manors. The

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1. He entered into a statute on 4 May 1605 probably for a loan of £1,500 (L.C.4/195/408).
  2. Whitaker, 238.
  3. T.S. Willan and E.W. Crossley (Eds), Three Seventeenth-Century Yorkshire Surveys, (Yorks. Arch. Soc. Record.Ser. vol. Civ, Leeds, 1941), xiv.



decrease in the rental which resulted from these sales amounted to £284.1.11, or one fifth of the annual net profit of the Craven estates from all sources, other than fines, before the sales began.<sup>1</sup>

The extent of the fall in revenue cannot be measured solely by the permanent loss of income due to these sales, decisive though that might be. The manor house, demesne and mills had been sold in Nesfield and Gargrave, in Bradley and Carleton granted in fee farm, and one moiety of Threapland in Cracoe had been granted on a long lease. Thus the most profitable assets on those manors, whose value increasing rapidly at this time could be more easily realised by rack-renting, as previously in Gargrave, or short leases, high rents and heavy entry fines as in the other manors, had now been sold completely or limited to a low reserved rent. At the turn of the sixteenth century the demesne lands were accounting for an increasingly greater proportion of manorial rents.<sup>2</sup> The income lost from this source is thus not fully reflected by the value of the capital messuages and demesnes at the time of the 3rd Earl's sales.

1. If the full £66.13.4 that Nether Hesledon, out of lease, was yielding is allowed then the fall in revenue was £344.1.11, almost a quarter of the net profit from Craven (Skipton MS. A/32/3.).
2. E.g. Eshton, where the demesne accounted for nearly all the increase in the rental from £71.9.4. in 1588 to £137.15.11 in 1602 and £148.19.5. in 1604 (Skipton MSS. A/29/5, A/31/6, A/32/3.).

The rents of the manors, though the basic and constant factor in the estate income, had been supplemented as described earlier by arbitrary entry fines.<sup>1</sup> These fines had contributed a large share of the total revenue. They had, moreover, been a means of tapping the increasing value of the manors. The 3rd Earl's widespread grants of long leases appreciably diminished future revenue from this source.

By 1605, 291 tenants were holding in fee farm or on long lease, of whom 48 were paying only nominal rents. The rents of all tenants on such leases totalled £169.12.6 or<sup>2</sup> over a fifth of the tenement rents of the Craven manors. These tenants, who now had the right to permanent occupation of their holdings, ceased to pay entry fines. Furthermore, the ancient rent reserved was by no means an economic rent. The grants, therefore, entailed a greater loss of potential income than if the reserved rents had been closer to the current values of the holdings.

There was one exception. A proviso in the long leases granted to Nesfield tenants stipulated that at the change of every lord or tenant, by death only, the tenant should pay "ffive yeres Rent in the Name of a ffine".<sup>3</sup> This set fine was demanded only in Nesfield. It meant that the tenants there were not fully released from financial exactions other

1. See supra, Chapter IV, pp. 116-9.
2. Skipton MS. A/32/3.
3. Bolton MS. Bk. 266, f. 9a et seq.

than rents as the majority of the tenants on long leases were; but a fine of five years' rent was in no way comparable with the arbitrary entry fine previously demanded. The serious effect of the loss of entry fines was most marked on the Percy manors of Settle, Giggleswick and Long Preston. After 1605, the Cliffords were obliged to pay two-thirds of the £147 they received in rent from these large manors to the Earl of Northumberland and their own net profit, henceforth, was<sup>1</sup> barely £50.

Hardly less significant for the 3rd Earl's successor were the grants on an even larger scale of the medium types of lease. At least 303 tenants took medium leases between 1602 and 1605. (More than half the Craven tenants, therefore, held on either long or medium leases at the time of the 3rd Earl's death).<sup>2</sup> Here again the loss in revenue from entry fines would be substantial, for medium leases would adversely effect the frequency with which holdings fell in. The most important factor in this form of leaseholding was the choice by the tenant of those persons whose lives would limit the term of the lease. Normally in the Craven leases the tenant took the lives of himself and two of his children, or his wife and one child, or three children. Where this was not possible, other tenants and their children were<sup>3</sup> substituted.

1. Skipton MS. A/32/3.
2. See Table D.
3. Skipton, Estate Ledger.

Table D

Leases Granted in Craven, 1602 - 1605

<u>Manors</u>	<u>a</u>			<u>d</u>	<u>e</u>
	<u>b</u>	<u>c</u>		<u>Tenants on Long Leases in 1606</u>	<u>Total Number of Tenants</u>
	<u>21 yrs</u>	<u>29 yrs and 2 lives, or 2 lives</u>	<u>29 yrs and 3 lives, or 3 lives</u>		
Skipton	14	-	1	-	105
Barden	2	10	19	-	32
Bolton	13	3	-	-	20
Bradley	4	-	19	1	30
Storithes & Hazlewood	6	1	20	-	33
Stirton & Thorlby	3	1	9	-	27
Silsden with Sutton	16	13	78	1	144
Carleton & Broughton	9	1	12	20	56
Lothersdale	1	1	5	15	31
Cononley	3	-	3	12	23
Nesfield	-	-	-	12	13
Malham	-	-	-	43	43
Eastby	1	-	5	-	10
Embsay	3	-	27	-	35
Halton & Draughton	3	-	21	-	33
Flasby	2	6	3	1	18
Eshton	-	-	-	15	25
Gargrave	9	2	11	-	40
Cracoe & Threapland	3	-	20	1	28
Woodhouse & Appletreewick	-	-	6	1	8
Grassington	-	-	-	32	38
Settle	1	3	1	54	62
Giggleswick	-	-	4	57	61
Long Preston	6	2	7	16	56
Starbotton	-	-	-	-	27
Buckden	-	-	-	-	28
Littondale	1	7	6	9	63
Langstrothdale	-	-	-	1	49
	<u>100</u>	<u>50</u>	<u>277</u>	<u>291</u>	<u>1,138</u>

Table D continued:Notes

- a. The sources are Skipton MSS. A/34/1, A/32/3 and Estate Ledger.
- b. These leases include 3 leases for 1 life and 1 at will.
- c. 26 other leases were made on redemption but were not entered in the Estate Ledger, so are not included in these figures.
- d. I.e. fee farm grants and long leases.
- e. The sources are Skipton MS. A/32/3 and Londesborough MS. E/2.

Whatever the theoretical calculation of the average length of tenure of these leases,<sup>1</sup> in practice they were the equivalent of a tenure for two generations and often might last for a period little short of their absolute limit of 99 years. Silsden leases are a good example. Eleven leases for 99 years and 3 lives taken there between 1602 and 1605 were still in being on 15th May 1680 with three tenements depending on the life of Thomas Wade, then aged 91, and two others on Thomas Hustler aged 80. Four more leases in Silsden had only recently fallen in. These were, no doubt exceptions. Most of the leases would have terminated long before 1680 and it is likely that when only one life remained the tenant would, like Henry Stirke of Silsden, prefer to negotiate a new lease on the basis of the lives of three sons. Yet, these 15 leases which had lasted at least 75 years after the grant represented one fifth of all such leases made in Silsden in the years 1602-5,<sup>2</sup> and the proportion might have been higher had not many of the leases<sup>3</sup> been converted to long leases under the 4th Earl.

If, in the years after 1605, the Cliffords had been free from financial worries, or had their estate been sound in

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1. For an interesting discussion of some aspects of this question, see E. Kerridge, "The Movement of Rent, 1540-1640", Ec. H.R. 2nd ser., vi. (1953), 20 at seq.
  2. Skipton, Estate Ledger, (Silsden).
  3. See infra, Table I.

other respects, the loss in revenue owing to these tenurial changes might have been made good from sources elsewhere. Unfortunately for the Cliffords, this was not possible. Extensive sales of land had accompanied the grants of leases. Nor was there relief from their financial difficulties. The following three decades were the critical period in the fortunes of the house. Yet, in those years, the Cliffords were virtually denied fines from tenements held on medium leases. An important source of revenue was thus put beyond their reach.<sup>1</sup> The cumulative effect of the 3rd Earl's policies, his leases no less than his sales, increasingly contributed to the 4th Earl's deficit in income. His problems will be discussed below.<sup>2</sup> Here it can be noted that one of them, a consequence of the 3rd Earl's policies, was a weakening of the Cliffords' strict control over their estates by reason of the independence which the new leases<sup>3</sup> offered to many of the tenants on their Craven manors.

The yearly value of the Craven estates at the time of the 3rd Earl's death<sup>1</sup> was assessed in the 1606 survey at £1,894.17.11. The rents of the demesne lands held by the

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1. For further discussion of this point, see infra, Chapter XI, pp. 344, 346, 351.
  2. See especially, Chapters X and XI.
  3. See Chapter XI, pp. 353-4.

Earl and rackrented to their full value accounted for £832.14.5. / The tenement rents totalled £942.7.8, consisting of free rents, £26.17.5; fee farm and long lease rents, £169.12.6; the rents of other leases of all types, £515.17.0, and the rents of those holdings which had fallen in on the 3rd Earl's death and were free to be disposed of by the 4th Earl, £230.0.9. Other profits were worth £119.15.10. The tithes of Leeds and some Craven parishes leased from Christ Church, Oxford were included in the valuation.

The reserved rents charged on the estate totalled £357.3.3 and Bailiff's fees £60.13.4, leaving a net income of £1,477.1.4. Annuities charged on the estates reduced the net income by a further £326.7.8 to £1,150.13.8.<sup>1</sup> This sum was the basic yearly income from the Craven estates as they were left by the 3rd Earl at his death.

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1. Skipton MS. A/32/3.



CHAPTER VITHE 3RD EARL'S CAREER: CONCLUSION

On the 7th January 1602, John Taylor, the 3rd Earl's man of affairs, wrote to Francis Clifford from Chancery Row;

My Lord is well, and Longes to be down, we have even with muche adoe Rubbed owte, to Lyve, the Parliament and Christemaes, and god knowes miserably enough. Their hathe been great Play in Court this Christemas as I ever see. my Lord forboare all the begining of Christemas to Play. But being so muche urged as indeed he was by my Lord Admiral and Mr Secreatary to adventure his C li and seeing my Lord Tresorer, my Lord of Shrewsbury, and others of the Lords do so, his Lordship made a hard shift for so muche, and hathe had good fortune, he hathe bettered his stock, he plaies muche warelyer, methinkes then heretofore, he can Leave a wyunner, and so was he not wonte, and yet hathe furnished him self with Clothes and other Necessaries.<sup>1</sup>

To this state was Cumberland reduced! Too late, it seems, had misfortune tempered his wayward optimism; now he could leave a winner, "and so was he not wonte".

That streak of recklessness in his nature found its outlet in privateering. Had the sea not been open to him, it would have led him to indulge in some equally extravagant course. The Earl's personality, indeed, is the central factor in any assessment of his career. In him can be seen the<sup>2</sup> enigma of a man "endued with many perfections of nature",

1. Althorp, Cumberland Papers.
2. Lady Anne, quoted in Williamson, 276.

whose qualities won for him respect and affection which endured long after his death; "I loved him living and now<sup>1</sup> admire him dying", wrote Salisbury in 1605; yet, impelled by an urge to gamble, to risk incessantly the fortunes of his house till insolvency finally called a halt.

"No one," it has been said, "was so much the knight of romance as he".<sup>2</sup> Even so, his privateering career cannot be lightly dismissed as the consummation of "romantic ambition".<sup>3</sup> If Cumberland found in privateering a challenge to his courage, temper and resources, it was under duress, as a means of renewing the fortunes of his house, that he first turned to the sea. Enthusiastically amateurish in his early ventures, with experience and maturity his conception of the purpose of privateering altered. He had, besides a lively awareness of the opportunity for profit, a serious sense of his own contribution to the defence of the realm. At the close of his career, he revealed an interest in trade unusual for an Earl if not for a commoner and his views on the future of England's trading in competition with other nations were eminently practical. The Puerto Rican expedition was in part the outcome of those ideas. There is, consequently, much truth in G.C. Williamson's conclusion that with Cumberland, "patriotism was the aim, if privateering

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1. H.M.C. Salisbury MSS., xvii, 461.
  2. Corbett, op.cit. 239.
  3. Cf. Andrews, 160.

was the means."<sup>1</sup>

The Earl's personal success as a leader is beyond dispute. His reputation was that of a firm but fair commander. As with Drake, his renown was won without the undisciplined pillage common in those times.<sup>2</sup> Fuller, eulogising him, declared; "He was as merciful as valiant (the best metal bows best);<sup>3</sup> and left impressions of both in all places where he came". His advice on warfare at sea was constantly sought, with Howard's and Essex's, and invariably studied with care. Of the military skill he showed on the Puerto Rican expedition, Corbett has written: "The whole conduct of the enterprise, indeed, marks him as a man who, if the Government had only been disposed to a vigorous renewal of the war, might well have supplied the place of Essex."<sup>4</sup> Cumberland's, moreover, was no insular fame. On Twelfth Night 1600, Don Virginio Orsino supped with the Earl and later reported,

with him I had some speech which will be to the taste of his Highness (the Grand Duke of Tuscany, his uncle Ferdinand) since that man is the greatest corsair in the world.<sup>5</sup>

It is true, however, that except in acquiring honour and in serving the Crown Cumberland's privateering was a failure. Unable to recoup the costs of his ventures, his

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1. Williamson, 278.
  2. Ibid. 190.
  3. Quoted in Dawson, 238.
  4. Corbet, op.cit. 249.
  5. Leslie Hotson, The First Night of Twelfth Night, (1954), 201.

passion was ultimately at the expense of his estates. He himself was conscious that he had "throwne his land into the sea".<sup>1</sup> The reasons for his failure are complex. His first attempts suffered from the defects of the ambitious amateur, inadequacy in planning and inefficiency in execution. Yet, in these he relied constantly on the advice of professional colleagues. His failure then was less the result of his own shortcomings than of general inexperience<sup>2</sup> in the relatively novel undertaking of oceanic warfare.

The basic cause of the Earl's financial failure was the aim of his fleets. As Dr. Andrews has shown, the larger the effort, the more difficult it was to capture prizes of the value necessary to cover the costs. Cumberland's idea of privateering was not the petty piracy which gave prospects of small but favourable returns, but privateering<sup>3</sup> on a grand scale, with "great expeditions of ruinous cost". It was precisely major expeditions of this type, in concert with official enterprises, that caused disruption of the regular sailings of treasure fleets to the Iberian peninsula.

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1. Williamson, 243.

2. E.g. the 1589 voyage; see Cheyney, op.cit. I, 519, et seq.

3. Andrews, 107.

There was, therefore, strategic need for large fleets as the answer to Spanish power. Although Cumberland, naturally, took the lesser prizes when opportunity offered, his principal aim, first evident in the 1589 venture, was to capture a carrack, a prize which would have justified the grandiose scale of his fleets.

He was not alone in his failure to do so. Very few of the East Indian carracks were caught, more rarely still was one brought into harbour and not one of the Spanish treasure ships was captured throughout the period 1585 to 1603. Within the general strategy, the idea of capturing carracks was not unfeasible, although the chances of success were restricted by the opposition of the elements, the strength of the enemy and the lack of governmental co-ordination.<sup>1</sup> The Earl, nevertheless, almost achieved that pinnacle of privateering ambition. In 1589, he lost a West Indiaman worth £100,000 on the rocks off Cornwall; in 1592, his ships were instrumental in capturing the Madre de Dios; in 1594, his eighth fleet sank the Cinque Llagas and all but caught the San Felipe; in 1598, his ambush for the carracks was discovered owing to the garrulity of an English sea captain. Thus, to ill-luck may be attributed not a little of the Earl's ultimate inability to recover the cost of his

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1. Cheyney, op.cit. I, 522; J.A. Williamson, op.cit. 453 et seq.

privateering. One contemporary said of the Earl,

He was so excellent a person that it can hardly be said what was wanting in him; but still there was a very considerable thing wanting him - namely, a steady gale of good fortune.<sup>1</sup>

Yet, in Puerto Rico he purposely eschewed the plunder that would have made his career even at that late stage a success. The tactics adopted on that expedition were, indeed, curious in view not only of his own need of a large profit, but the presence with him of several of the great London merchants whose interest in privateering could only be measured in terms of expectation of plunder.<sup>2</sup> If, in one aspect, this expedition was a gambler's last throw, Cumberland strangely took his eye off the main chance.

Cumberland was not only, at certain times in his career, a willing instrument of Crown policy; he was also at the mercy of the policy the Crown thought it expedient to follow. His capture of Dutch prize goods was condemned in 1595 and in subsequent years. In 1600, similarly, he was denied a French prize worth £3,000. The reason in each case was the Crown's anxiety to minimise friction with those countries. The situation, by then, was changing. The war with Spain had coincided with the years of Cumberland's prime, but by the close of the century his opportunities

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1. Unknown writer, quoted in Dawson, 237.  
 2. See supra, p. 94.

to make a profit had passed.<sup>1</sup>

The Earl's pleas for recompense for his losses in serving the realm were amply rewarded by the ageing Queen and her bountiful successor. In 1601, he was granted the licence to export undressed cloths;<sup>2</sup> in 1602, the Stewardship of Grafton;<sup>3</sup> in February 1604, the Forest of Nichol and the manors of Arthuret, Liddell and Randelinton in Cumberland. Before the Earl's death in 1605, James I promised to grant the Debatable Lands in Cumberland to his brother, the 4th Earl,<sup>5</sup> who was also allowed to purchase the Norton's lands in Craven in 1605.<sup>6</sup>

These grants were welcome, but the cloth licence, with its profit of £2,500 a year clear, was the only one to add appreciably to his income. Indeed, the grants involved the Earl in additional expense. The cloth licence, especially, which was only<sup>gained</sup> after a bitter struggle with the Merchant Adventurers and retained against the intrigues of court

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1. Rowse, The Expansion of Elizabethan England, 319.
  2. For details, see infra, Chapter IX.
  3. C66/1571.
  4. C66/1610.
  5. H.M.C. Salisbury MSS., xvi, 393; xvii, 461.
  6. C66/1714.

favourites, necessitated his long residence in London when his resources were meagre.<sup>1</sup> Grafton, "this ruined place", though he had long aspired to possess it, must have been more of a burden than an asset.<sup>2</sup> The Border Lands were little more than a potential source of income and were, moreover, notorious for lawlessness. Being short of cash, Cumberland immediately farmed them out.<sup>3</sup>

Cumberland was faced in the last three years of his life with "the urgent necessitie of speedy payment and order takeing with my creditors".<sup>4</sup> The large sums he raised from the estates after 1602 helped to reduce his debts and it was an increase in the demands of his creditors that led to the renewed efforts in 1604 on the Craven estates and the higher cash receipts that were discussed earlier.<sup>5</sup>

The Earl himself never disclosed the extent of his indebtedness. An impression of the size of his debts, however, can be given even if it is not possible to calculate the exact amount. Between 1602 and 1605, Cumberland raised £46,000 from his estates above his normal income;<sup>6</sup> he borrowed £2,000;<sup>7</sup> and the profits of the cloth licence were probably nearly £10,000. Yet, the payment of his debts

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1. See supra, pp. 104-5, 162.
  2. Joseph Hunter, Hallamshire, (1869), 120.
  3. Williamson, 262.
  4. His will, Appleby MS. Box/2.
  5. Cf. Williamson, 274; Williamson, Lady Anne Clifford, 35.
  6. See supra, Chapter V, p. 146.
  7. L.C. 4/195/374, 460.



in that period did not include the loan of £5,000 on the mortgage of Bolton; nor the £18,000 of debts still owed in 1613;<sup>1</sup> nor the other debts paid from the estate receipts and the annual £2,500 from the cloth licence between 1606 and 1613. In addition, the Earl owed the Crown debts of £4,400<sup>2</sup> and his debts to his brother were large enough for the 4th Earl to set up a commission to enquire into their size.<sup>3</sup> A conservative estimate would put the total of debts and interest at £80,000. But, to judge by the sums available for payment of the debts, £100,000 or even £120,000 might be closer to the actual figure.

Two impulses that dominated the 3rd Earl's life were inherent in the Elizabethan scene: a taste for novel enterprises, and the extravagance characteristic of certain sections of society, notably those prominent at court. Each contributed to the excessive demands on the Earl's resources. The privateering, undoubtedly, was the biggest single factor in his indebtedness. Its particular effects became obvious after 1594. His own claim that he had spent<sup>4</sup> £100,000 on sea journeys does not seem to be exaggerated.

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1. Londesborough MS. D/1.
  2. H.M.C. Salisbury MSS., xvii, 585-6; P.R.O. Index 6802, Signet Office Docquets, February, 1607.
  3. Whitaker, 364.
  4. H.M.C. Salisbury MSS., x, 234.

But his debts reflected all aspects of his life, not least his indulgence in the pleasures of his class and age. The Earl had, as his daughter has said,

an extream love for Horse races, Tiltings, Bowling matches and shooting and that such and Hunting and all such expensive sports did contribute the more to the wasting of his estate.<sup>1</sup>

Amongst his debts were £600 lost at play and bowls at Haford Lease in June 1597.<sup>2</sup> Others, which had not been paid long after his death, included £470 to various tailors, £470 to drapers, £152 to apothecaries, £160 to Nicholas Wright, a sadler,<sup>3</sup> and £100 to an innkeeper of Westminster.<sup>4</sup>

The Countess of Cumberland's debts, likewise, had grown heavy. From 1601, the Earl and the Countess were estranged as a result of Cumberland's intrigues with a "lady of quality" at court.<sup>5</sup> The Earl was unable, because of his own shortage of cash, to make her an allowance until 1604 when he agreed to grant her £1,000 a year and pay her debts, then probably more than £2,400.<sup>6</sup> But it is doubtful if, after many years in which she personally had suffered from the Earl's

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1. Williamson, 17.
  2. H.M.C. Salisbury MSS., xvii, 585-6.
  3. Londesborough MS. D/7.
  4. Bolton MS. Bk. 173, f. 93b.
  5. Williamson, 264.
  6. Ibid. 267-9, 299.

thriftlessness, she benefited much from this formal acknowledgment of his responsibility for her financial troubles. At her death in 1616, she blamed her debts which had grown without fault of hers partly on the "want of those <sup>1</sup> meanes which my late lord should have paid me".

The consequences of the 3rd Earl's career and its effect on the Clifford inheritance can now be considered. In 1579, he entered into one of the wealthiest inheritances in the kingdom which had escaped heavy demands on it for the previous eight years, during his minority. To the Earl and his brother had also fallen the estates of their uncle Sir Ingram Clifford. By 1586, in his love of high living, Cumberland had involved himself heavily in debt. The privateering which was to restore his fortunes merely increased his financial difficulties. After 1602, in the process of raising money to pay his debts, he seriously impaired his main estates in Craven. Earlier in his career, he had lost the manors of Maltby, Cowthorpe, Hart, Brancepeth and Wevendreath, besides many lesser properties. He had also sold the reversion of the East Riding estates to his brother. If the Earl had produced a son to inherit from him, these lands would have passed out of the main Clifford inheritance.

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1. Williamson, Lady Anne Clifford, 458.

The legacy of the 3rd Earl's indebtedness must be seen against this serious wastage of the Clifford inheritance. He passed on to his successor the problem of satisfying his creditors with estates greatly diminished as a potential source of wealth as in their annual revenue. The 4th Earl was, in fact, beset throughout his life by the inadequacy of his resources as a means of fulfilling the obligations to his creditors.<sup>1</sup>

The debts, unfortunately, were not the only problem the 3rd Earl left to his brother. In his eagerness to do justice to the aid his brother had given him and with a genuine desire to keep the Clifford estates intact, he bequeathed all his estates with the Earldom to Francis as his heir male, left his daughter Anne £15,000 and admonished her to be contented with her portion and not to "molest nor trouble my loveing Brother ..... But permit and suffer him ....peaceable to have and Whold all my lands".<sup>2</sup> The intention was laudable, but the action legally disputable. The 4th Earl's possession of the estates was contested by the 3rd Earl's widow, humiliated by her debts and the alienation of the Earl's affections in the later years of his life; and with equal tenacity by his daughter who never relented in her struggle for the Clifford estates and the titles she held dearer than

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1. See infra, Chapter X.

2. His will, Appleby MS. Box/2; Williamson, Lady Anne Clifford, 34.

Dorset's and Pembroke's which she actually acquired.<sup>1</sup> In consequence, the 4th Earl was also embarrassed by a long and costly inheritance suit.

The 3rd Earl and his dependants were not the only ones who suffered from the consequences of his indulgences. Many of those who joined him similarly wasted their fortunes; such as Hercules Foljambe, who petitioned the Crown to reward him for the £10,000 he had spent in privateering,<sup>2</sup> or Cumberland's cousin, Sir Henry Cholmely, whose expensive outings with the Earl cost him heavy.<sup>3</sup> Yet, apart from the mariners who risked life and limb in vain hope of good fortune, the only section of society in contact with the Earl which did not benefit from his involuntary largesse consisted of those lesser tradesmen whose debts he failed to honour.<sup>4</sup> His creditors, merchants especially, took advantage of his desire for loans and the profits to be made from them: the lesser gentry and yeomen on his estates eagerly bought from him the lucrative capital messuages, demesne lands, farms and mills he was obliged to part with; his tenants accepted, at first with reluctance, the longer leases which not only raised their status but made them increasingly independent of their ancient manorial lords.

1. See infra, Chapter VIII.

2. Williamson, 191, n.1.

3. A.G. Dickens, "The Extent and Character of Recusancy in Yorkshire, 1604", Y.A.J., xxxvii (1948-51), 40, n.2.

4. As is shown especially in Londesborough MS.D/7.

The Earl had, then, good reason for his complaint to the Queen: "Haith not he taken his fall, wher others take<sup>1</sup> their rying"?

In the weeks before his death, Cumberland revealed all due signs of remorse. He requested those of his friends

whome out of my love I had cause to have remembred in some Legacies not to take it unkindly that they are omitted for it proceeded nether out of want of good will to them nor forget fullnese in my selfe but onlie out of the due Consideration of the greatnes of my debtes which I would most gladly have payd.

He was thankful that

god.....hath given me time and space of repentance and also hath lent me time to settell my Estate in such sorte as at this present I thought Convenient and so as therein I take much Comfort.<sup>2</sup>

He died on the 29th October, 1605, at the age of forty-nine. Some hours before, he had been reconciled with his wife.<sup>3</sup>

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1. Williamson, 243.
  2. His will, Appleby MS. Box/2.
  3. Williamson, 269 et seq.

PART II THE 4th and 5th EARLS.CHAPTER VIITHE CLIFFORD ESTATES UNDER THE 4th EARL.

The succession to the Earldom of Francis Clifford in 1605 temporarily reversed the process of rapid deterioration in the Clifford estates which had marked, in particular, the last years of the 3rd Earl's tenure of the inheritance. This was due only in part to the restoration to the main Clifford estates of the 4th Earl's own substantial property in the East Riding. The 3rd Earl had died before the Crown could grant all the lands in Craven and Cumberland which James I had promised him. The 4th Earl benefited from these grants and in the first years after 1605 he also bought some minor holdings in Craven, mainly in Skipton itself.

In purchasing the Norton's manors from the Crown in 1606, the 4th Earl made the last of the major acquisitions of property in Craven before the extinction of the male line of the Cliffords in 1643. Their value, however, was limited since the Crown reserved in the grant the full rents of £128.11.7.<sup>1</sup> The entry fines paid by the tenants for new

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1. C 66/1714.

leases probably fell short of the purchase price of £5,143.3.4.<sup>1</sup> Thereafter, the Earl could expect little profit other than from fines on the renewal of leases. The real value of these manors was that they increased that part of the Craven estates held on medium leases and, in consequence, available for conversion to long leases.<sup>2</sup>

The 4th Earl's only other important acquisition was his purchase of the tenements in Skipton town held by Thomas Heber Esq, 22 messuages, 2 cottages and 2 shops, with a rent of £10.16.10.<sup>3</sup> He also redeemed the two Craven manors in mortgage, Bolton in 1610,<sup>4</sup> Flasby in 1613.<sup>5</sup> By 1613, therefore, he was in full control of his Craven estates and had not neglected opportunities of extending them.

His own estates in the East Riding had altered appreciably since he entered them in 1581.<sup>6</sup> Londesborough house and manor, Weighton, Shipton and Brompton were still his, but Welham, Sutton, Broomfleet and Malton had been sold.<sup>7</sup>

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1. Skipton MS. A/34/1.
  2. For details of this policy see infra, Chapter XI.
  3. Yorks. Fines, Stuart, I, 101; Londesborough MS. E/2.
  4. Yorks. Fines, Stuart, I, 144.
  5. Bolton MS. Sundry Paper I. 15, f. 5a.
  6. See supra, Chapter I, p. 16 n.2.
  7. See supra, Chapters I, II, pp. 26, 63.



To replace them, he had bought the third part of the manor of Easthorpe for £350 in 1587,<sup>1</sup> the manor of Cleving Closes in Londesborough parish in 1595<sup>2</sup> and land in Kipling Cotes and Middleton in 1601.<sup>3</sup> It is likely, however, that he had mortgaged Cleving Closes in 1596 and that it was continuously in mortgage until 1619.<sup>4</sup> His policy after 1605 was to continue this concentration of his estates round Londesborough house. In 1611, he sold his £84 rent charge on Brompton for £1,176<sup>5</sup> and bought in 1613 the remainder of the manor of Easthorpe, for £2,040,<sup>6</sup> and other property in Easthorpe and Londesborough.<sup>7</sup>

The most important additions to the estates after 1600 were the royal grants of lands in Cumberland. The Forest of Nichol with the manors of Arthuret, Liddell and Randelinton had been granted to the 3rd Earl in 1603 in reward for his services to the Crown, but with the onus of

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1. C 54/1291.
  2. C 54/1497.
  3. Yorks Fines, Tudor, IV, 178.
  4. L.C. 4/193/73; Bk. 108, f. 4b. Bolton MS.
  5. C 54/2098.
  6. Bolton MS. Bk. 94, f.33.
  7. Bolton MS. Bk. 185, f.2b.

establishing good and peaceful government there in his capacity of Warden of the West and Middle Marches and Governor of Carlisle. In 1605, these lands were still no more than a potential source of profit above the Crown's fee farm rent of £100.<sup>1</sup> Similarly, it was in the expectation of profit ultimately rather than at once that the Earl also sought the Debatable Lands, between the Esk and the Sark,<sup>2</sup> on the Scottish Border to the west of Nichol Forest. James I granted them on a lease for 40 years, shortly after the 3rd Earl's death,<sup>3</sup> to his successor.

The official survey of the Debatable lands assessed their value at £38.10.0 a year in 1604 and estimated that they could be worth £100 more if that country were "brought into Cyvill government free from the malicious bondage of the Grames and their wicked coherants". The surveyors suggested that the Earl should pay a rent of £100.<sup>4</sup> It is not surprising, then, that the £400 rent reserved by the Crown<sup>5</sup> proved too high. In 1610, a second grant released the 4th Earl from the arrears of the rents due for both Nichol Forest

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1. C 66/1610.
  2. H.M.C. Salisbury MSS. xvii, 461.
  3. C 66/1678.
  4. P.R.O. D.L. 44/642.
  5. C 66/1678.

and the Debatable lands and granted the latter in fee farm with the rent reduced to £150.<sup>1</sup> The Earl was thus able to benefit from the profits his lands were then beginning to yield.<sup>2</sup>

The 4th Earl's interest in Cumberland included Bewcastle, which he held in lease,<sup>3</sup> and Carlisle itself. The castle of Carlisle was granted in 1605 to the Earl and Henry Lord Clifford for the duration of their lives.<sup>4</sup> The grant was later changed to a tenure of 60 years, the lordship of Carlisle was added and the rent of £5 increased to £50.<sup>5</sup> The castle was in continuous use as their administrative centre for official and private duties.

With Westmorland held in jointure by the Dowager Countess of Cumberland, the 4th Earl's estates after 1605, closely resembling the disposition at the time of the 3rd Earl's succession in 1579,<sup>6</sup> consisted of Craven, still the main source of revenue, the East Riding manors and the most recent addition, the estates in Cumberland. Skipton, Londesborough and Carlisle were the main channels through

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1. P.R.O. Index 6803, Signet Office Docquets, March 1609/10.
  2. See infra, section iii.
  3. P.R.O. Index 6805, Signet Office Docquets, July 1614.
  4. P.R.O. Index 6802, Signet Office Docquets, November 1605.
  5. C 66/1933.
  6. See supra, Chapter I, p. 18.

which the estate income from each group of manors passed for distribution to the household officers. London constituted the fourth centre of receipts. There the London agent, John Taylor, was responsible for the receipts from the cloth<sup>1</sup> licence and some minor sources. A fifth, Appleby, was added in 1617, when the 4th Earl took possession of the<sup>2</sup> Westmorland estates.

The sources of revenue from each of the three groups of manors, Craven, the East Riding and Cumberland will be discussed in turn. The Westmorland revenues will be described in the following chapter.

#### 1. The Craven Estates

The revenues of the Craven manors, for which the Receiver-general accounted, can be divided into three categories of receipts: the rents of the tenements in lease, of the demesne lands leased annually and the fines from leases; manorial dues and perquisites; and the income resulting from the development of the natural resources of Craven. They will be described in that order.

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1. E.g. Bolton MSS Bks.94,104.

2. See infra, Chapter VIII, section 11.

a. Rents and Fines

The rents of the tenements in lease which had totalled £942.7.8 at the time of the 3rd Earl's death<sup>1</sup> increased with the acquisition of Norton's and Heber's lands to rather more than £1,080. They included free rents, rents of tenements held in fee farm, on leases for years and lives and at will, and were for the most part the ancient rents of the Craven manors.<sup>2</sup> The major increase in the income from these rents under the 4th Earl was from leases of the tithes. The Earl owned some of the Craven tithes which the 2nd Earl had bought,<sup>3</sup> but he held in addition a lease of the tithes in the possession of Christ Church Oxford, comprising the tithes of the parish of Leeds and other tithes in Craven.

In 1606, the Leeds tithes and a third of the Craven tithes were leased for 21 years with rents totalling £117.5.4, of which the Leeds tithes accounted for £73.15.4. The remaining Craven tithes, held in demesne and leased annually at rack-rent, were worth £82.18.4. Cumberland was paying £138.12.0 to Christ Church in 1606 for his lease of the tithes and his profit then was probably slight.<sup>4</sup> In 1612 and 1613 several of the Leeds tithes fell in. He received £1,345 in fines from the tenants for new leases to

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1. Skipton MS. A/32/3.
  2. Bolton MS. Sundry Paper I. 15.
  3. See supra, Chapter I, p.12.
  4. Skipton MS. A/32/3.

expire in 1627 when his own lease was due to terminate and he increased their rents.<sup>1</sup> In a new bargain negotiated in 1627, Christ Church granted the Earl a lease for a term of 33 years, charged him a fine of £1,200 and increased the reserved rent to £300. Cumberland, in turn, raised the rents of his tenants by a corresponding figure.<sup>2</sup>

At the survey in 1646, the receipts from the tithes were £581.13.4. The greater part of this was contributed by the Christ Church tithes; £340.10.8. by the Leeds tithes, £65.0.0. by the Craven. The rents of the other Craven tithes came to £176.2.8.<sup>3</sup> The granting of the new leases in 1627 resulted in an increase in the rental of the Craven tenements in lease to the total of £1,341.4.8.<sup>4</sup>

Tithes had become a popular form of investment in the second half of the sixteenth century and it was probably the 3rd Earl who first took the lease of the Christ Church tithes, since there is no mention of it under the 2nd Earl. The value of tithes as a source of revenue is evident from the profit made at three levels from the Clifford's lease of the Christ Church tithes: by Christ Church, by the Cliffords

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1. Bolton MSS. Bks. 94, title 1; 127, f.1a.
  2. Londesborough MS. E/9; Bolton MS. 134, f.4a.
  3. Londesborough MS. F/9.
  4. Bolton MSS. Bks. 137, f.1a; 148, f.1a.

and by the subtenants in Leeds and Craven. For the 4th Earl, the profit from the tithes was of particular importance. Because of the condition of the Craven estates after the 3rd Earl's sales, his ability to raise his income from them was restricted. The tithes represented one of his few opportunities of increasing the revenues of the estates by ordinary means.

In contrast with the ancient manorial rents, the rents of the Craven demesnes were closely related to the current value of land. As has been seen, they kept pace with the notable rise in land values at the turn of the century.<sup>1</sup> This rise continued throughout the prosperous first decade of the seventeenth century and was reflected in the higher demesne rents up to 1610. In 1606 the Craven demesnes, racked to their full value, were worth £832.14.5.<sup>2</sup> The Receiver-general's accounts do not reveal the full value of the demesnes after 1606 since a variable part was occupied by the Earl for his own use, though the receipts of £1,065 from the annual leases of the demesne and from agristments in 1609<sup>3</sup> were higher than the total value of the demesne lands in 1606.

The extent of the increase in these years can be better

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1. See *supra*, Chapter V, p. 154.
  2. Skipton MS. A/32/3.
  3. Bolton MS. Bk. 228, titles 2, 8. The increase in land values as indicated by the Craven demesne rents supports the views expressed by J.P. Cooper (*Ec.H.R.*, 2nd ser., vii, 388), H.R. Trevor-Roper and L. Stone (*Ec.H.R.*, 2nd ser. i, 308), that although land values rose rapidly in the 1590's the rate of increase was at its highest after 1600, when it probably surpassed the price-rise.

judged from the rents of the Bolton demesnes, which constituted almost half the demesne lands in possession: £404.1.1. at full value in 1606, they had risen to £624.14.4 by 1610.<sup>1</sup> That year, 1610, was the peak year for the Craven demesne rents and the values then reached were not sustained. The decline was both gradual and uneven until a sharp fall in the early 1620's sent values almost down to the 1606 level. From 1625, throughout the decade and a half to 1640, there was little improvement and only slight variation in price. Skibeden west field is an example of the general trend. It was leased in 1608 for £23; in 1609 and 1610 for £30; in 1611 and 1612 for £28.10.0;<sup>2</sup> in 1616 and 1617 for £29; 1618 and 1619 for £29.10.0.<sup>3</sup> By 1626 its value had fallen to £22.10.0 and remained at that level until 1633. Crookrise in 1628 had fallen to within £2 of its 1606 value of £20.<sup>4</sup> In 1639, Barden Great Park was leased at the 1606 rate of £10.<sup>5</sup> The high profit from the demesne lands enjoyed in the years after 1606 was thus greatly diminished after 1620 and did not return in the lifetime of the 4th and 5th Earls.

The tenement and demesne rents were supplemented by the third regular and important source of Craven income,

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1. Londesborough MS. F/1.
  2. Bolton MS. Bk. 255.
  3. Bolton MS. Bk. 130.
  4. Bolton MS. Sundry Paper, I. 60.
  5. Bolton MS. Bk. 177, f.198.



the receipts from fines. A large part of the fines on the sales and leases negotiated in 1604 and 1605 were in fact received by the 4th Earl after his brother's death. Fines in 1606, 1607 and 1609, three years when the accounts are extant, totalled £8,985<sup>1</sup> besides those received from the Norton's tenants and £1,032, probably half they paid, from the tenants of Buckden, Starbotten and Langstrothdale who had defied the 4th Earl in 1606.<sup>2</sup> This heavy income from fines, the result of special circumstances, was confined to the years 1605 to 1612. It would be misleading to regard the fines received in the period after 1612 when they still often exceeded £1,000 a year as the normal income from this source.<sup>3</sup> The Receiver-general did not distinguish between the fines received from ordinary leasing and those from long leases and sales. The 4th Earl's financial circumstances compelled him to grant long leases, often extensively, so that in many years they contributed a far larger share of the total receipts from fines than ordinary leases. The high level of income from fines therefore entailed a constant deterioration in the value of the Craven property. For this reason, this question will be discussed in detail when the effects of the 4th Earl's financial problems on his estates are considered.<sup>4</sup>

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1. Bolton MS. Bks. 226, 228; Skipton MS. A/36/3, passim.
  2. Bolton MSS. Bks. 226, 228; Skipton MS. A/36/3, passim; see supra, Chapter V, pp. 145-6.
  3. See infra, Table J.
  4. In Chapter XI.

b. Manorial Dues and Perquisites

In all the medium leases and the majority of the long leases and fee farms granted after 1602, the Cliffords preserved their traditional manorial rights. The leases stipulated payment of heriots and boons, suit at court and mill, with all other customs, duties and services owed for the premises.<sup>1</sup>

The 1606 survey estimated the average annual value of the various dues and casualties: rent hens at £10; rent oats £4; profits of courts £20; felons goods £5; waifs and strays £10; heriots £10 and boons £3.6.8.<sup>2</sup> The actual receipts in the years after 1606 were much above the estimates with the exception of rent hens, which brought in £11 a year. Receipts from the courts held in Craven between 1606 and 1628 averaged over £58; this being profit, for the bailiffs deducted the costs at source. Heriots, felons goods and other dues in the same period averaged £73 a year.<sup>3</sup> Although receipts were probably greater than the estimates in each case, most of the increase came from a source not mentioned in the survey. This was the private right of wardship which the Cliffords enjoyed over their tenants. In 1638, for example, Agnes Wethered paid £6.13.4 for the "Custody

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1. Cf. Skipton, Estate Ledger.

2. Skipton MS. A/32/3.

3. These figures are from an analysis of Bolton MSS. Bks. 127, 129, 131, 132 and 134.

& Mariage of Richard Wethered sonne of Thomas Wethered deceased dureng his mynority."<sup>1</sup> In 1619, the Earl received £50 in part for the wardship and marriage of Mr Gleadall, "ward to his Lordship & my lord of Northumberland for lands in Bethmesley."<sup>2</sup>

The receipts from this source varied from year to year and probably accounted for the abnormally high yields of the casualties in years such as 1621, when £136.9.9½ were recorded,<sup>3</sup> and 1627, with £179.12.2¾.<sup>4</sup> Not all the fines for wardships were paid to the Receiver-general. The £50 from Gleadall's wardship were paid to John Taylor and £200 of the spectacular sum of £400 received in 1637 for William Newby's wardship were paid directly into Lady Clifford's own purse.<sup>5</sup>

Compared with the rents of the Craven manors, these manorial dues were of minor importance financially. Nevertheless, they contributed useful amounts to the estate revenues as the pecuniary aspect, it must be remembered, of a system whose primary function was the perpetuation of the Clifford's traditional control over their estates.

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1. Bolton MS. Bk. 266, f. 14a.
  2. Bolton MS. Bk. 107, f. 2a.
  3. Bolton MS. Bk. 131, f. 3a.
  4. Bolton MS. Bk. 134, f. 2b.
  5. Bolton MS. Bk. 186, f. 2a.

c. Development of Natural Resources

One of the most significant aspects of the Clifford's estate policy after 1600 was their exploitation of the natural resources of the estates. This was both a means of increasing their revenues from Craven and a local contribution to an activity which on the national scale was a characteristic<sup>1</sup> development of the late Tudor and early Stuart period.

The 3rd Earl, as has been mentioned, took advantage of the most accessible of the natural assets in Craven, the timber reserves, after his return to his estates in 1602. His policy, however, was to sell completely his rights in certain woods as a means of raising cash in the shortest possible<sup>2</sup> time. The felling and sale of timber in the Craven woods was a regular source of profit on a more modest scale. If the 1606 valuation of a yearly income of £40 from woodsales accurately estimated the actual receipts in the preceding years,<sup>3</sup> the receipts after 1606 reveal a striking increase in the use of timber resources by the 4th Earl. The average annual profit from 1606 to 1613, with the sale of turfgrass and ling seldom worth more than £7 a year, was £253. Between 1613 and 1623, when the Receiver-general

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1. Rowse, The Expansion of Elizabethan England, 150 *et seq.*
  2. See *supra*, Chapter V, pp. 142-3.
  3. Skipton MS. A/32/3.

ceased to account for woodsales, the receipts averaged £290 a year,<sup>1</sup> with maximum yields of £545 in 1619<sup>2</sup> and £504 in 1621.<sup>3</sup> The main felling took place at Howden wood in Silsden, Carleton park and, particularly, at Lobwood in Bolton.

Though this felling may have gradually diminished the permanent value of the woods, there was no fall in profits in the first half of the seventeenth century. In 1636, a year for which the details are again available, the income from woodsales was at least £248.<sup>4</sup> Between 1651 and 1655,<sup>5</sup> the profit still averaged £250 a year. By 1600, there was already an acute shortage of great timber suitable for bridges and similar structures in Craven as in the West Riding generally; hence the rapid conversion to stone as the primary building fabric.<sup>6</sup> The 4th Earl's utilisation of his timber resources may well have been in response to local demand as well as a method of satisfying his own need for ready money.

The second major reservation of rights in the leases

1. See supra, p. 183n. for sources.
2. Bolton MS. Bk. 132, f. 2a.
3. Bolton MS. Bk. 131, f. 2a.
4. Bolton MS. Bk. 184, f. 2a.
5. Londesborough MS. A/3.
6. A. Raistrick, "Dales Building in the 16th and 17th Centuries", pt. II, The Yorkshire Dalesman, 111 (Clapham October, 1941), passim.

granted after 1602 concerned "all mynes of lead & copper Iron & cole", with liberty to search for, dig and convert the same and reasonable rights of way for that purpose. Rights over slate and stone were also retained.<sup>1</sup> The Earl had slate quarries at Bradley, Carleton, Cononley and Grassington. In 1606 profits from them were estimated at only 15/- a year,<sup>2</sup> but in 1611, being rack-rented as part of the demesnes, they were yielding £2.5.0.<sup>3</sup>

The most valuable local mineral deposits were coal and lead and it was the mining of these that attracted the Cliffords in the early years of the seventeenth century. The development in both cases was similar. The first investment in the mines was done on the Earl's initiative and at his expense. Later, he handed over to others the responsibility for the actual operations. The Earl's officers retained overall supervision and he claimed a share of the profits for himself.

The coal in Craven is true coal, falling geologically within the area of the Pennine coalfields.<sup>4</sup> Various outcrops occur and those at Howden, Rilston, Bradley and Carleton were mined. One of the aims, no doubt, was to provide coal for Skipton Castle. Unlike Londesborough, which

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1. E.g. Bolton MS. Bk. 260, f.1b.
  2. Skipton MS. A/32/3.
  3. Bolton MS. Bk. 255.
  4. A. Raistrick, "The Lead Mines of Upper Wharfedale", Yorkshire Bulletin of Economic and Social Research, v, no.1, (Leeds, 1953), 4.

received its supplies by sea from Newcastle,<sup>1</sup> Skipton was relatively inaccessible. Some coal was available locally. William Towneley's lease in 1604 required him to carry to the Castle, at his own expense, one sack of coal from Colne<sup>2</sup> (twelve miles from Skipton), or some closer source. In 1606, fifteen tenants covenanted to carry one load of coal each to the Castle every year from the Carleton and Lothersdale<sup>3</sup> pits. These were probably the first of the Craven mines to be exploited.

Between 1609 and 1615, small sums were spent on searching for coal and sinking pits,<sup>4</sup> an investment which was well rewarded by the returns when the mines began to produce coal in quantity. In 1610, the first year, £30 were received from Howden;<sup>5</sup> in 1612, £33;<sup>6</sup> in 1613, £38 from Howden and £2 from Rilston.<sup>7</sup> In 1615, after the sinking of a sough, the 4th Earl granted the Howden mines to Roger and Thomas Barker for three years at a yearly rent of £90. In addition, they were to deliver 300 loads of coal to the Castle at their own cost. The Earl guaranteed them a monopoly of coal mining in Kildwick parish for the term of the lease and

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1. Bolton MS. Bk. 167, Disbursements.
  2. The lease covering Bolton MS. Bk. 256.
  3. Bolton MS. Bk. 228, f. 286 et seq.
  4. See especially Londesborough MS. A/1, f.8a.
  5. Bolton MS. Sundry Paper, I.15, f.2b.
  6. Bolton MS. Bk. 255.
  7. Londesborough MS. A/1, f.3a.

allowed them wood for repair of the works, the colliers' houses and for building a smithy. In 1615, the Earl leased Bradley coalpits to three tenants for ten years<sup>1</sup> to develop for their own use and at their cost, paying to him a rent of 12d a year and half the clear profits.<sup>1</sup> The Earl's profit<sup>2</sup> from this bargain was £15.0.6. at the least.

Unfortunately, there are few details of the income from the coal mines after 1617. The Bordley pits were rented at £3 a year in 1631 and 1632,<sup>3</sup> but only £1.6.8 in 1646.<sup>4</sup> Production at the Howden pits was maintained until the 1630's and then declined. From 1629 to 1633, the annual rent paid was £53.6.8.<sup>5</sup> Later it fell to £40 and by 1639 had dropped to nothing, such receipts as there were, presumably in kind, being assigned to the house.<sup>6</sup> To judge from the absence of evidence, the other enterprises were no more than initially successful. By 1637, the coal required for the Castle was being bought in Skipton market at 8d a load and at Colne at 9d a load.<sup>7</sup> This decline in production, however, was only

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1. Skipton MS. A/24/4.
  2. Bolton MS. Bk. 232, f.53.
  3. Bolton MS. Bk. 136.
  4. Londesborough MS. E/9.
  5. Bolton MS. Bk. 136.
  6. Londesborough MS. E/5.
  7. Bolton MS. Bk. 176, f.135 et seq.



a temporary phase. The deposits at Bordley and Thorpe were more fully exploited after the Civil War and especially during the eighteenth century.<sup>1</sup>

The first serious development of the Craven lead deposits became a more permanent feature of the economic life of the region. The Romans have left evidence of lead-smelting in Craven and mining on a very small scale is documented from the thirteenth century.<sup>2</sup>

The 3rd Earl brought Derbyshire miners into the area to open up the mines at Grassington in 1603.<sup>3</sup> The yearly profit was stated to be £13.6.8 in 1606.<sup>4</sup> By 1612, when details first appear in the accounts, sales of lead brought a clear profit of £86.16.9 after deducting the costs of production - clerk's and workmen's wages and smelting the ore at the Earl's smelt-mill - which amounted to £109.11.0. In addition, 13 cwt 5 stone 8 lbs of lead were delivered to the Earl for repair of his houses and to the keepers for shot.<sup>5</sup> In 1613, the profit was £69.8.8 above the costs of £115.7.11, with 5 stone 5 lbs of lead sent to the houses.<sup>6</sup> In 1614, the profit came to £54.13.5½ above the costs of £157.10.1½ and 1 cwt 30½ lbs of lead were delivered to the Earl for his use.<sup>7</sup>

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1. Raistrick, Yorkshire Bulletin, v, no.1, 4.
  2. Ibid. 3.
  3. Ibid. The Dukes of Devonshire in the eighteenth century were not as Dr. Raistrick states the first to be "more than the passive Lords of the Field".
  4. Skipton MS. A/32/3.
  5. Bolton MS. Sundry Paper I. 15. f.3b.
  6. Londesborough MS.A/1, f.3a.
  7. Bolton MS. Bk. 127, f.3a.

The fluctuations in production and costs in the next four years probably indicate the difficulties normally experienced in such undertakings, the exhaustion of the veins worked so far, the search for new veins and the extension of the effort after the initial exploitation had proved successful. In 1615, the net profit was only £0.6.7 out of gross receipts from sales of lead of £189.15.4. The residue had been disbursed in the charge of getting the lead and in "extraordinary workes in making searche for yt"<sup>1</sup>. In each of the next three years the costs exceeded the receipts from sales, although production in 1616 and 1617 was the highest yet recorded. In 1616, the receipts were £328.14.5, the expenditure £347.0.10; in 1617, the receipts £296.8.7 against costs of £315.12.4; in 1618, £134.16.7 against £168.19.0<sup>2</sup><sub>1</sub>.

The Receiver-general ceased to enter details of lead sales and costs in his accounts after 1618, for two reasons. In the first place, separate accounts for lead had been kept from the beginning and the receiver had contented himself with a bare summary of the annual receipts and charges. From 1619, he entered only the clear profit of the coal and lead mines at Howden and Grassington under one title, a change in keeping with the more attenuated form of his accounts henceforth.<sup>3</sup>

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1. Bolton MS. Bk. 129, f.3a.
  2. Bolton MS. Bk. 132, ff. 5a, 11b.
  3. E.g. Bolton MS. Bk. 131, f.4b. The earliest of the lead accounts extant is for 1697-1710. (Raistrick, Yorkshire Bulletin, v, no.1, 10.)

The second reason is suggested elsewhere. In April 1630, ore from Thieveley was smelted at the Earl's mill in order to assess its yield. Roger Kenyon, who took the ore to the Grassington works, described the existing arrangements at the Earl's mines. "I understand", he wrote,

that his Lordship findeth all wood to timber the groves, and for turnes, corves, etc.; and prepaire and keepe in repaire the Smeltinge-houses, Bellows and Dammes, and findes chopp-wood or woodes for smeltinge and kilnes and fyre to dry the same with. And in lieu of theis and of his Myne (which is a rich one for lead) his Lordship hath in smelted lead a third part, throughout all which bargaine in my judgment (and as I heare from his officers the tymber and other charge <sup>1</sup> reprised) leaveth unto him a very small gaine.

It appears likely, then, that in 1619 or 1620 the Earl leased out his mines with the arrangement described by Kenyon. He had adopted a similar policy with the coal mines, but his losses in the three preceding years from working the lead mines himself may equally have inspired the change. The profit recorded in 1620 was £75.1.4.<sup>2</sup> Thereafter, however, the Howden and Grassington receipts ~~to~~ together until 1630 averaged only £54 a year, besides lead supplied to the house, though it is doubtful if the accounts included the full profit from Howden.<sup>3</sup>

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1. R. Sharpe France, (Ed.), The Thieveley Lead Mines, 1629-1635, (Lancashire and Cheshire Rec. Soc., vol. CII, Preston, 1951), 95.
  2. Bolton MS. Bk. 132, f. 3b.
  3. E.g. Bolton MS. Bk. 131, f. 4b.

In 1630 there was a striking increase in the profit from the lead mines to a total of £232.4.11<sup>1</sup> and in subsequent years the profits reached a higher level than at any previous time. In 1631, the cash receipts were £110.15.1. besides lead worth £42.9.0 delivered to the house;<sup>2</sup> in 1632, £166.15.5 besides £70.17.6 worth of lead delivered to pay debts or to the Earl's own use.<sup>3</sup> The highest profit was in the following year, 1633, when receipts totalled £321.13.1 of which £84.2.6 were taken in lead.<sup>4</sup> In 1634 and 1635, the profit came to £178.7.0<sup>5</sup> and £138.12.5<sup>6</sup> respectively. The details of receipts in the next two years are incomplete. In 1638, however, the Earl's profit was £219.15.4 and in the first eleven months of 1639, £158.9.8.<sup>7</sup>

The big increase in the profits began in 1630. At that time a second smelt mill came into operation at

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1. Bolton MS. Bk. 135, f.3a.
  2. Skipton MS. A/36/4, f.66.
  3. Skipton MS. A/36/5, f.66.
  4. Bolton MS. Bk. 137, f.2b.
  5. Bolton MS. Bk. 138, f.2a.
  6. Bolton MS. Bk. 139, f.2a.
  7. Bolton MS. Bk. 177, f.38 et seq.

Grassington so that the smelting capacity was doubled.<sup>1</sup> But the accounts also indicate that the Earl had made another, more favourable bargain. The Earl now retained his third share of the lead smelted at his mills, made some small profit from the sale of grove timber which was included in the receipts, but left the costs of production to the miners themselves. Maintenance of the mills in good repair was still his responsibility.<sup>2</sup> Such expense came out of his receipts. His profit, therefore, represented a levy on the refined lead in exchange for liberty both to mine the ore and smelt it at his mills. In the decade after 1629, it fell little short of £200 a year.

From the 1638 account, it is possible to calculate the Earl's receipts in terms of lead and the total production of refined lead from the mills. His receipts in 1638, £212.19.0 (the rest of the profit, £6.16.4, being for grove timber), were the equivalent of almost 26<sup>5</sup>/<sub>8</sub> tons of lead at the current value at the mills of £8 a ton.<sup>3</sup> The full production of the mills in 1638 was, therefore, just under 79 tons.<sup>4</sup> Since the Earl who would be the biggest local consumer of lead provided his own needs, most of the lead produced would be available for sale and distribution over a wide area. Unfortunately, there is no indication of what happened to the lead after it left the smelt mills.

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1. Bolton MS. Bk. 137, f.2b.  
 2. Bolton MS. Bk. 176, f.20.

There was a decline in the production of lead at Grassington during the Civil War and the Interregnum.<sup>1</sup> In the best year, 1659, only 45 tons were smelted. The output increased rapidly in the following nine years.<sup>2</sup> By the eighteenth century it had risen to 100 tons and local coal, from Thorpe, was being used in the smelting in increasing quantities. Other Craven lead deposits were developed after 1750 by the Dukes of Devonshire who had inherited the mineral rights from the Earls of Burlington and, ultimately, from the Cliffords. Output reached peaks of 700 tons in 1805 and 2,100 tons in 1857, but twenty years later the mills closed down with the ore virtually exhausted.<sup>3</sup>

The 4th Earl's exploitation of the natural resources of his estates was an important contribution to the economy of Craven, providing, in the case of lead mining, the impetus to a traditional local activity which established

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references 3 & 4 continued:-

3. Bolton MS. Bk. 177, f. 38 et seq. A fother of lead weighed a ton.
4. Cf. the equivalent production of 120 $\frac{1}{2}$  fothers in the peak year, 1633. This would be three times the production in 1616.

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1. Londesborough MS. A/3.
  2. Raistrick, Yorkshire Bulletin, v, no.1, 4.
  3. Ibid. 10.

the nucleus of a subsequently prosperous industry. But it had a more specific bearing for him on the revenues from his estates. The woodsales provided an income of about £250 a year; the leadmines, in their best years, a further £200; the coalmines, for a long period, more than £50, with the additional saving of coal delivered to the Castle. These profits appreciably increased the clear net income of the Craven estates over and above the basic charges for reserved rents. They were all the more important since the utilisation of the natural resources was one of the few methods available to the 4th Earl of raising his estate income in a period of continuous strain on his finances.

#### ii. The East Riding

After the purchase of Easthorpe in 1613, the 4th Earl's permanent possessions in the East Riding consisted of the manors of Londesborough, Easthorpe, Weighton & Shipton and Cleving Closes, with some minor holdings.

The receipts from these manors in 1615, a convenient year to take, were £323.1.2½. Londesborough and Easthorpe together contributed £147.13.8½, Weighton and Shipton £64.3.0. The rents from annual leasing at rack-rent in Cleving Closes, a manor composed of closes intermingled with the demesne lands of Londesborough and Easthorpe, were £111.4.6.<sup>1</sup> The total receipts do not, however, include

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1. Bolton MS. Bk. 189, f.1a et seq.

the value of the demesne land occupied by Lord Clifford<sup>1</sup> which in this year was at least £80. Until 1619, the Earl paid a rent of £80 yearly for Cleving Closes on the mortgage<sup>2</sup> of the manor. This payment reduced the net income from the Londesborough estates in 1615 to £243.

Fines paid upon the surrender and alienation of tenement for relief and amercements of the courts, though a regular source, were usually small in value.<sup>3</sup> The only substantial receipts from fines were in 1631 when the tenants of Weighton & Shipton paid £329.0.4. for the confirmation of their copyhold<sup>4</sup> estates. The natural resources of the East Riding manors were similarly of little value. Normally, only small quantities of wood were available for use, mainly as fuel. There was an isolated example of a larger profit in 1629, when 507 ash trees were felled in Cleving Closes and sold for<sup>5</sup> £52.1.4.

The 4th Earl's revenues from the Londesborough estates had been greatly augmented, certainly for twenty years, by the profits from two leases which he held, the first of<sup>6</sup> Faxfleet demesnes, the second of a wood called Lundwood.

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1. Londesborough MS. E/9.
  2. See supra, p. 178.
  3. E.g. Bolton MS. Bk. 167, title 2.
  4. Bolton MS. Bk. 157, f.1b.
  5. Bolton MS. Bk. 160, title 2.
  6. Bolton MS. Bk. 143, f.3. et seq.



Lundwood now brought in little or no profit and its main value was probably the provision of timber for the house at Londesborough and the outworks there. The Faxfleet lease was, however, the most profitable of the 4th Earl's holdings in the East Riding. In 1615, his receipts from Faxfleet demesnes and other property attached totalled £419.8.8.<sup>1</sup> After paying out £90 for the rent of the lease and £34 more for Faxfleet tithe,<sup>2</sup> Cumberland was left with a profit of £294.8.8, a larger net profit than he received from his own East Riding manors. This, however, was the last year in which he held Faxfleet. At the end of 1615, he transferred it to Sir Gervase Clifton as part of the marriage portion of his daughter, Lady Frances Clifford.<sup>3</sup> This settlement reduced by a half his annual income from the East Riding estates.

The gross receipts in 1615 totalled £782.9.10<sup>1</sup>/<sub>2</sub>. After the deduction of rent charges of £240, the Earl's net income came to £542. The loss of Faxfleet at the end of 1615 was the most important alteration in the value of the East Riding property. There were later variations in the revenues of the Earl's own manors which, Lundwood excepted, now comprised the whole of his possessions. In 1619, he redeemed Cleving Closes and thus freed the manor from the rent charge

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1. Bolton MS. Bk. 189, f.1a et seq.
  2. Bolton MS. Bk. 96, title 22.
  3. Bolton MS. Bk. 96, title 22.

on it<sup>1</sup> and he sold certain closes in the manor in 1627, when<sup>2</sup> they were valued at £62.

The most interesting change in the revenues was noted by the sequestrators of the Londesborough estates in 1645. They declared that before hostilities began in 1642 some of the tenements had been let at double rent.<sup>3</sup> These tenements were in Londesborough and Easthorpe, which together had a rent of £170 in 1646<sup>4</sup> compared with £105 in 1615. The double renting seems to have been introduced in 1636, the first year in<sup>5</sup> which a higher level of income is evident in the accounts, and it was permanent, for the value of the East Riding manors under the Earl of Cork, £404 in 1648,<sup>6</sup> approximated to the estimate of £402 made by the sequestrators in 1646.<sup>7</sup>

### iii. Cumberland and Westmorland

Until 1617, when the main estates became his, the 4th Earl's receipts from property in Westmorland were small. Fines from his tenants there totalled £512.8.0 in 1606 and

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1. Bolton MS. Bk. 108, f. 4b.
  2. Althorp, Burlington Papers, Box 3.
  3. Ibid.
  4. Londesborough MS. E/10.
  5. Bolton MS. Bk. 235.
  6. Bolton MS. Bk. 263.
  7. Althorp, Burlington Papers, Box 3.

1607.<sup>1</sup> Thereafter, the greater part of the rental was contributed by Kirkby Thore tithe, worth £82.10.0 a year.<sup>2</sup> A fine for a lease of the tithe produced £300 in 1614.<sup>3</sup>

The Cliffords' traditional holdings in Cumberland, the manors of Skelton, Carleton and Lamonby, had greatly decreased in value as a result of the 3rd Earl's sales there. All that remained in 1604 were rents of £5.11.2<sup>1</sup>/<sub>2</sub> from property still held in Carleton and Skelton.<sup>4</sup> Nor was the possession of Carlisle castle of much help financially. Until 1623, Cumberland received no profit from the socage manor. The rents paid by the tenants of the manor fell short of the Crown rent of £50 by £6.12.5<sup>1</sup>/<sub>2</sub>. In 1623, the Earl instructed one of his commissioners, Anthony Curwen, to improve the revenues of the manor to their highest value. Curwen accomplished this by a series of law suits against unlawful occupiers of the socage lands.<sup>5</sup> Increases in the rents of the tenements he recovered raised the rental of the manor by over £32 to a total of £80<sup>6</sup> a year. This gave the Earl a small but regular profit.

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1. Bolton MS. Bk. 226, f. 104; Skipton MS. A/36/1, f. 84.
  2. Londesborough MS. A/6.
  3. Bolton MS. Bk. 95, title 1.
  4. Appleby MS. D/2.
  5. Londesborough MS. E/3.
  6. Londesborough MS. E/9.

The major developments were in the Border properties. Despite their condition, the Earl had the advantage of knowing that he was free to raise their value, depressed by the lawless state of the Borders, to a rate comparable with that of lands elsewhere in the north. The transportation of the Grames first to the Low Countries<sup>1</sup> and then, more successfully, to Ireland<sup>2</sup> rid the Debatable lands of their most turbulent families and allowed the Earl to commence his policy of settling honest men in the areas vacated by them.<sup>3</sup> He also began to assert his rights in the Nichol forest manors, which the 3rd Earl had been compelled to farm out.<sup>4</sup>

The task of increasing the revenues was essentially the same in each region. The question of tenant-right, tenure by military service, the cause of bitter disputes in the Border counties at this time, if it arose on the 4th Earl's manors, has left no trace in the records.<sup>5</sup> His unrestricted rights of possession were challenged only by the notorious William Graem alias Rosetrees, whose petition to James I brought from the King a request to allow him and his brother George to retain their tenements, held by

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1. H.M.C. Second Report, App., 181-2.
  2. H.M.C. Salisbury MSS., xviii, 295-6.
  3. Ibid. 368-71. For a map of the Debatable lands, see W.M. Mackenzie, "The Debateable Land", Scottish Historical Review, xxx (Edinburgh, 1951) 112.
  4. Williamson, 162.
  5. Cf. V.C.H. Cumberland, ii, 285.

virtue of letters patent granted by Henry VIII, "yielding for the same such reasonable fine and yearly rent as his ability can afford".<sup>1</sup> This royal intervention, as is clear, established Graem's tenure, but not at the expense of the Earl's liberty to demand an economic rent.

The Earl's commissioners carried out their work of pushing up the value of the lands in three ways. The holdings leased annually at Candlemas were rack-rented, the lands were gradually surveyed so that the amount of land leased at full value rose each year, and the full manorial dues and services were exacted. The result of their activities was to raise the revenues annually from 1606 until 1620.

The first full statement of the revenues of the Border lands extant is for 1610. This reveals the rate of increase over the previous year's receipts. The rents of the Nichol forest manors, £355.3.5<sup>1</sup>/<sub>2</sub>, were £54.1.11 above the 1609 figure; those of the Debatable lands had risen by £24.0.4 to £229.8.1<sup>1</sup>/<sub>2</sub>. Together they totalled £584.11.7 compared with £507.9.3<sup>1</sup>/<sub>4</sub> in 1609.

These sums, however, were the income from the lands leased. The full value of the Border manors in 1610 was higher. Holdings worth £72.14.4<sup>1</sup>/<sub>2</sub> had been surveyed but not leased. Some of these were reserved for the Earl's use and

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1. P.R.O. Salisbury MS. 134/93.

occupied by his ewes and lambs. Other lands, not yet surveyed, were thought to be worth £21. In addition, compositions for rents in kind and services due by the tenants contributed a further £32.12.7 in cash. Two rent heifers and 3,401 boon days' work at hay and harvest time were taken in kind. The full value of the Border lands in 1610, apart from the services in kind, amounted to £710.18.6<sup>1</sup>/<sub>2</sub>. Of this, £617.4.2 were received in cash.

The peak level of receipts seems to have been reached in 1621, when the rents totalled £856.0.2, of which Nichol forest provided £563.9.1<sup>1</sup>/<sub>2</sub> and the Debatable lands £292.11.0<sup>1</sup>/<sub>2</sub>.<sup>2</sup> Grounds worth £99.5.0 were not leased, being held in demesne. After 1621, the rents decreased, to £761 in 1624, £764 in 1625 and £751 in 1626.<sup>3</sup> This fall may have been caused by the retention of a greater amount of land in demesne, but it also suggests that the rack-renting had pushed the annual value to its natural limits.

The absence of accounts for all years except 1610, 1619, 1621 and 1624-6 makes it impossible to assess the annual improvement in the Border revenues. The figures for 1610 and 1621 reveal the size of the increase in the intervening decade. In 1621, the value of the lands, in or out of lease

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1. Londesborough MS. A/6.
  2. Londesborough MS. A/7.
  3. Bolton MS. Sundry Paper, I, 59, f.1b.

was £955.5.11<sup>1</sup>/<sub>2</sub> compared with £678.5.11<sup>1</sup>/<sub>2</sub> in 1610. Other profits in 1621 consisted only of £7.16.7 for amercements, heriots and felons goods, barely a quarter of the receipts from manorial dues in 1610 which, since they were no longer mentioned in the accounts, the Earl may have allowed to lapse. The cash receipts in 1621, £863.16.8<sup>1</sup>/<sub>2</sub>, exceeded the 1610 figure by nearly £250, or more than a third.<sup>1</sup>

The 1621 total can be regarded as the culmination of fifteen years' continuous effort to improve the value of the Border estates. The general pacification after the accession of James I stimulated agricultural development which led to a speedy increase in the value of the Border territories.<sup>2</sup> Nevertheless, the tranquillity was hardly won and the higher rentals were a tribute to the landowners' zeal. The West Marches and especially the Debatable lands were the most troublesome of the Border lands after 1600.<sup>3</sup> In 1613, there were still "many wilful obstinate fellows" amongst the Earl's tenants.<sup>4</sup> In 1617, Sir William Hutton declared there was "not a true man on my Lord of Cumberland's bounds on Liddale to make a constable or officer to apprehend a malefactor".<sup>5</sup> The Earl's exercise of his personal authority was an essential phase in establishing law and order for

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1. Bolton MS. Sundry Paper, I. 59, f.1b.
  2. Rowse, The Expansion of Elizabethan England, 29.
  3. Rowse, The Expansion of Elizabethan England, 27.
  4. H.M.C. Third Report, App. 38.
  5. Household Books of Lord William Howard, (Surtees Society, vol. 68, 1878), 452-3.

the public good no less than his private profit. His revenues in 1621 were a measure not only of his control but of the rapid integration of a backward region, hardly touched by the changes of the Tudor era, within the economy and political system of Stuart England.

These grants of Border lands to the Cliffords are an example of the policy of combining private profit with official responsibility which the Tudors and Stuarts employed with great effect in matters on the periphery of government activity. In 1611, when the 4th Earl relaxed his efforts on the Borders, he could with justification claim that he had "helpt to beare the Brunt of the day".<sup>1</sup>

Cumberland's activities represented a joint effort of himself and his principal officers. Though his was the greatest benefit, several of his officers settled themselves in large holdings as his tenants, taking advantage of vacant and potentially rich lands. Amongst them were John and Stephen Taylor, William Grimstone his receiver in Cumberland and Fergus Gleadstone, one of his wealthiest tenants in Craven.<sup>2</sup>

It is difficult to estimate how much profit the 4th Earl made from his Cumberland estates. The cost of the household at Carlisle in the early years was heavy. In 1615,

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1. S.P. 14/63/43.

2. Bolton MS. Sundry Paper, I. 59, ff.4-7.



the expenditure was still as high as £347.15.6.<sup>1</sup> The main factor was whether Cumberland paid the Crown rents for his Border manors. He failed to pay in the years before 1610,<sup>2</sup> and he probably defaulted regularly afterwards, though he had to satisfy the Crown for his arrears in 1627.<sup>3</sup> If the Earl had regularly paid the rents, his clear profit would have increased from a small sum in 1610 to £130 in 1615<sup>4</sup> and £390 in 1624 when the costs at Carlisle had dropped to £120.<sup>5</sup> Thus, even after the deduction of the Crown rents, the Border revenues had become by 1619 a useful addition to the 4th Earl's income, and failure to pay the rents would have given the much higher profits of £380 in 1615 and £640 in 1624.

It was the Earl's misfortune that he could not enjoy the Border manors at their full value for more than a few years. In 1628 he was forced to sell them, with the lease of Bewcastle to Sir Richard Graham of Norton Conyers, Master of the Horse to Charles I.<sup>6</sup> This sale left him with only Carlisle and his

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1. Bolton MS. Sundry Paper, I.24.
  2. See *supra*, p. 179.
  3. P.R.O. Index 6807, Signet Office Docquets, July 1627.
  4. Bolton MSS. Bks. 95, title I; 105, f.1b; 127, f.4b.
  5. Bolton MS. Sundry Paper, I. 59, f.2b et seq.
  6. C 54/2752.

Skelton and Carleton holdings as the residue of his former possessions. It also gave to one more happily placed financially the benefit of estates greatly improved by reason of the pacification of the Borders and the 4th Earl's own endeavours.

#### iv. The Estate Income

Because of the changes in the composition of the 4th Earl's estates and fluctuations in receipts, particularly in the receipts from fines, the revenues in any one year do not represent the normal annual income from the estates. However, the estate income from all sources except fines was fairly constant, although at different levels, in each of three periods between 1605 and 1643. The changes in the size of the income were the result of major alterations in the composition of the estates.

In the first period, 1605 to 1617, the income was relatively low; it reached the highest level in the second period, 1617 to 1628, after the acquisition of Westmorland in 1617; but fell at the beginning of the third period in 1628 with the sale of the Border lands. The 4th Earl's ordinary revenues were probably at their lowest in the two years between the loss of Faxfleet in 1615 and his entry into Westmorland in 1617.

The considerable variations in the receipts from fines

in the three periods as well as from year to year tend to distort the impression of three levels of income given by the other revenues. If the receipts from fines in both Craven and Westmorland are excluded it is possible to estimate the basic income in each period, taking as examples the revenues in 1615, 1626 and 1630.

The receipts from the Craven manors in 1615 were £2,733.3.6<sup>1</sup><sub>2</sub>; from the East Riding, £782.9.10<sup>2</sup><sub>2</sub>; from Cumberland and Westmorland, £868.1.6,<sup>3</sup> and from the Sherifwick, £59.16.8;<sup>4</sup> a total of £4,443.11.7<sup>1</sup><sub>4</sub>. The actual total may have been slightly higher since the receipts of some of the minor household officers are not known. His net income was much less. Rent charges on the estates totalled in 1615 £1,030,<sup>5</sup> reducing the known income by almost a quarter to £3,413.

The much higher receipts in the second period were mainly due to the addition of the Westmorland revenues. These increased the net income of the estates by £1,400 a year, or more than a third of the 1615 total. There were other factors. The redemption of Cleving Clôses in 1619

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1. Bolton MS. Bk. 127.

2. See *supra*, p. 202.

3. Bolton MSS. Bks. 95, title 1; 105, f.1b; 127, f.4b.

4. Bolton MS. Bk. 105, f.1b.

5. See esp. Skipton MS. A/32/3; Londesborough MS. E/9.

terminated the rent charge on the manor and by 1621 the Cumberland revenues had reached their full value. The improvement over the 1615 level of receipts can be judged from the income in 1626. The Craven revenues were £2,495.17.9<sup>1</sup> the East Riding, £320;<sup>2</sup> Cumberland £770<sup>3</sup> and Westmorland £1,500,<sup>4</sup> giving a total of £5,125.17.9<sup>1</sup>/<sub>4</sub>. The rent charges in 1626 had fallen to £841,<sup>5</sup> which left a net income of £4,282.17.9<sup>1</sup>/<sub>4</sub>. A fall in the general receipts in Craven and the loss of the Faxfleet profit had the effect of limiting the increase of the gross revenues in 1626 to £682 above the 1615 level and of the net income to £876.

The sale of part of Cleving Closes in 1627 and of the Border lands and Bewcastle in 1628 reduced the level of estate revenue in the years after 1628. In 1630, the receipts from Craven were £2,610.2.3<sup>1</sup>/<sub>2</sub>;<sup>6</sup> from the East Riding, £305.18.9<sup>1</sup>/<sub>2</sub>;<sup>7</sup> and from Westmorland £1,500;<sup>8</sup> in all, £4,416.1.1. With rent charges of £745<sup>9</sup> deducted, the net income was £3,671.1.1.

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1. Bolton MSS. Bks. 134, 146.
  2. This figure is an average income based on the extant accounts.
  3. Bolton MS. Sundry Paper, I. 59.
  4. This figure is an average income based on the extant accounts.
  5. See supra, p.212 n.5.
  6. Bolton MSS. Bks. 135, 147.
  7. Bolton MS. Bk. 160.
  8. See supra, n.4.
  9. See supra, p.212 n.5.

Receipts from fines determined the amount by which the total yearly revenues exceeded the basic level of income in each of the three periods. If the special fines which the 4th Earl was permitted to raise by virtue of the King's Award in 1617<sup>1</sup> are discounted, the fines were confined to Craven and were of two main types: the ordinary fines received from the renewal of leases, and those resulting from the conversion of the capital assets of the Craven manors by grants of long leases. In some years, the ordinary fines were exceptionally high, as in 1627 when the £3,025<sup>2</sup> received included fines from the leases of the Christ Church tithes. Normally, re-leasing brought in between £300 and £500 a year. 1615 was an average year, with one of the rare big fines, over £300 for a lease for 99 years and 3 lives of Threshfield capital messuage, raising the ordinary receipts from fines to £783.<sup>3</sup>

In almost every other year, fines from long leases raised the receipts from fines to as much as £2,900 in 1616.<sup>4</sup> The primary cause of this policy was the 4th Earl's financial difficulties. Its effect in many years was to increase his income to totals which if they were taken as

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1. See *infra*, Chapter VIII, section 11.

2. Bolton MS. Bk. 134, f.2b.

3. Skipton MS. A/34/1.

4. Bolton MS. Bk. 132, f.2a. See *infra*, Table F.

normal revenue would give a false impression of the value<sup>1</sup> of the estates. The policy of raising money from the estates, the changes it involved and its consequences will be dealt with more fully in Chapter XI.

Two major sources of income, the cloth licence and the Westmorland estates, have yet to be considered. The dispute over the inheritance, directly concerning the possession of the Westmorland estates, and the problems arising from the tenure of the cloth licence were the two great issues influencing the fortunes of the Cliffords after 1600. They will be described in detail in the next two chapters.

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1. See infra, Table I.

CHAPTER VIIITHE INHERITANCE DISPUTE1. The Dispute

The inheritance suit, begun by Margaret, Dowager Countess of Cumberland in 1605 and continued by her daughter Lady Anne Clifford, later Countess of Dorset and Pembroke, was not only a long and costly action, the dominating legal dispute in which the Cliffords were concerned; it was also the cause of uncertainty in the possession of the estates and of embittered relations between the two branches of the family which continued even after Lady Anne's death in 1675. There were two issues in the dispute, which were separately pursued: the claim for the titles, other than the Earldom which passed to Francis Clifford as heir male of the 3rd Earl; and the claim for the estates held by the 3rd Earl at his death.

Lady Anne's claim for the Clifford baronies, de Clifford (1299), Westmorland and Vescy, was set out in a petition by the Dowager Countess to James I who referred it to the Earl Marshal for consideration in November 1606. J.H. Round has pointed out that the proceedings afford, perhaps, the earliest instance of the doctrine of 'attraction' in peerage law. The question was whether all or any of the baronies were by virtue of the patent of Henry VIII creating Henry lord Clifford Earl of Cumberland

entailed upon the 4th Earl as belonging to the Earldom, or ought to descend to Lady Anne as heir general. The 4th Earl was<sup>1</sup> summoned to defend his right.

What the decision of the Earl Marshal's commissioners was is obscure. Lady Anne's claim was accepted ultimately,<sup>2</sup> but there was no clear precedent or practice to apply to the case in 1606. In a similar claim ten years later, for the barony of Roos, the point was even then sufficiently uncertain for the King to decide the matter by compromise.<sup>3</sup> The commissioners probably rejected Lady Anne's petition, for she renewed the claim in 1628 when Henry Lord Clifford was called to the Lords on the erroneous assumption that the barony of de Clifford was vested in his father, the 4th Earl.<sup>4</sup> Her petition was then referred to the Lords for determination.<sup>5</sup> The writ in error to Lord Clifford had the effect of creating a second barony, that of Clifford (1628), which descended on his death, when 5th Earl, in 1643 to his daughter Elizabeth, whereas the original barony of de Clifford (1299) was held to have passed with the Westmorland title to Lady Anne in 1605.<sup>6</sup> Neither the 4th nor the 5th Earl, however, conceded to Lady Anne any part of her claim to the Clifford titles.<sup>7</sup>

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1. J.H. Round, Peerage and Pedigree, (1910), 1,93-4.

2. G.E.C. iii, 295-7.

3. Round, op.cit. 1, 94.

4. G.E.C. iii, 301.

5. Ibid. 296, note (a)

6. G.E.C. 301, note (e). Though the Cliffords styled themselves Baron Vescy, the Barony had in fact become extinct because of the limitation, unique in English writs, to the heirs male. (Ibid. 294, note (b)).

7. Carr, Y.A.J., xviii, 397 n.4.



The contention over the possession of the estates was the direct outcome of the 3rd Earl's action in conveying his whole property with the Earldom to his brother as heir male. His thoughts in doing this were for the advancement of his house and the love he bore his brother and in the hope that his debts would be paid which above all he wanted done, to satisfy his conscience and safeguard his honour.

He appointed £15,000 to be paid to Lady Anne in full recompense for her child's portion and any claim she might have or pretend to have for any part of his estates. The first £10,000 were to be paid within four years of his death, with £200 more a year towards her maintenance. He apologised for the deferment in paying the money, the reason being the necessity of satisfying his creditors for the debts he owed them at an early date. The final £5,000 were to be paid to her after she reached the age of 21 on condition that she gave security to Francis Clifford for his possession of the estates without any trouble or interference from her. He had always been concerned, he declared, to leave a firm and settled peace between his brother and daughter and to prevent any cause of dissension which might easily arise if either of them<sup>1</sup> listened to those "of factious dispositions or restless humours".

The 3rd Earl both feared and anticipated opposition to his will, but he could hardly have expected his Countess' reaction to be so contrary to his wishes. The will was for her the final indignity in the humiliation she had suffered both before and

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1. The 3rd Earl's will, Appleby MS. Box/2.

after their separation in 1601. It denied to her only daughter the inheritance she regarded as hers by right. Neither their death-bed reconciliation nor the Earl's last request "that thou wilt take as I have meant in kindness the course I have set down for disposing of my estate"<sup>1</sup> could dissuade her from asserting her rights in a matter that so closely touched her own pride and her daughter's fortune. Lady Anne, in turn, obstinately refused all pleas for compromise. For her, the single-minded pursuit of the inheritance was a duty, willingly undertaken in the conviction that her claims were just and in the knowledge that through her alone descended the main line of the noble house of Clifford.

At no time was the issue the relatively simple problem of establishing the legality of the 3rd Earl's will by a judicial enquiry whose decision could be accepted by both parties. That process was itself confused and protracted.<sup>2</sup> Other factors intruded from the first which prevented an early settlement and also distorted the essential character of the dispute as an action determinable at law. Eventually, the mediation of the King was sought as the only course left for ending the conflict.

The 4th Earl had the advantage throughout of being in possession of all the estates with the exception of Westmorland.

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1. Williamson, 270.

2. See Sir Mathew Hale's report on the inheritance suit in Whitaker, 357-8.

Although Lady Anne claimed the Sherifwick the 4th Earl was allowed to exercise the office in the interest of maintaining efficient administration within the county.<sup>1</sup> The onus of seeking to change the status quo by offering proof of her case thus lay with Lady Anne. Shortly after the 3rd Earl's death, the Dowager Countess entered suit in the Court of Wards for her daughter's claim to the estates.<sup>2</sup>

The commission appointed to take the inquisition consisted of the King's officers and, because of the dispute, three commissioners named by either party. Before the enquiry began, however, the Dowager Countess exhibited an information in the court stating her daughter's title to the estates, to which the Earl immediately replied, waiving his parliamentary immunity, in the hope of satisfying her. The Countess refused to accept his arguments and accused him of delay in replying to the interrogatories of the commission and in supplying the evidences which the court had requested of him.<sup>3</sup> "I hear they intend to make it a suite of many years to us", she complained to Salisbury, one of the executors of the will. She was also troubled because the tenants of her demesnes in Westmorland had learnt the contents of the will and were withholding their rents from her.<sup>4</sup>

1. S.P. 14/17/85.
2. S.P. 14/19/9.
3. P.R.O. Salisbury MS. 118/126.
4. S.P. 14/19/9.

Later in the year she repeated her charges of unnecessary delay, which drew from Cumberland an equally vigorous protest. He claimed he had brought all the conveyances he had been appointed to bring and had offered in the court that any officers should have full view of all at Skipton, where there were many. He had answered the interrogatories; his solicitor had been in constant attendance on the Surveyor whereas none had come from Lady Anne. He thought there was "neither cause nor colour to tax him with any dilatory intent."<sup>1</sup>

The Earl, nevertheless, had good reason for delay and for adopting the defensive in the controversy, an attitude not wholly dictated by his obvious advantage in possessing the estates. The legal basis of Lady Anne's claim was that since the reversion of the lands granted in tail by Edward II was still vested in the Crown they descended to her by virtue of the entail. The 3rd Earl had taken the precaution of barring the entail by fine and recovery in 33 Eliz., but his legal advisors had blundered in not realising that the reversion had not been taken out of the Crown and the fine and recovery was thus invalid. Moreover, the entail had been supported by the Act of Parliament which restored the estates to the Shepherd Lord.

The 4th Earl's lawyers at once recognised the doubtful validity of their case. "Taking the alarme, and thinking to mend his condition",<sup>2</sup> Cumberland petitioned the King to allow

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1. P.R.O. Salisbury MS. 118/126.  
2. Whitaker; 358.

him to compound for the "manors castles etc whereof his Majesty has not only a remainder but a pretence of title in respect of some imperfections in his grant being since made to his ancestors". The King was agreeable. The grant, made in June 1607, comprised the honour of Skipton-in-Craven, the Westmorland manors and the Sherifwick there,<sup>1</sup> It took the reversion out of the Crown, but too late to effect the dispute. By inference, the Earl's lawyers had admitted Lady Anne's right to the original Clifford estates.

Even so, Cumberland did not scruple to use the grant to embarrass his opponents. The Countess complained to the Council that he had made it known that the 3rd Earl's estates, being forfeited to the Crown, were now his by virtue of the grant. She took this report "as a device to bring her title into discredit and to terrify the country from dealing with her". She responded to the Earl's charges of her spoil of the woods in Westmorland by making public proclamation in the churches that she would now<sup>2</sup> not only make weekly wood sales to the country but defend them against everybody.<sup>3</sup>

The examination of the 4th Earl and his principal officers by commission out of the Court of Wards began at York on the

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1. P.R.O. Salisbury MSS. 121/60; 121/66.
  2. P.R.O. Salisbury MS. 122/16.
  3. P.R.O. Salisbury MS. 122/123.

23rd November 1607.<sup>1</sup> In the following April, 1608, there was great pleading in the court.<sup>2</sup> A year later, the 3rd Earl's inquisition post mortem was returned.<sup>3</sup> The concern of the 4th Earl's lawyers at the defect in his title to the estates was such that in defence of his claims they resorted to sharp practice in returning the inquisition. To support the fine and recovery of 33 Eliz. and the conveyance of the estates to the 4th Earl, they inserted a clause that Henry VI had granted to Thomas Lord Clifford, his heirs and assigns, the reversion of the castle and manor of Skipton. Lady Anne's lawyers took exception to this in the court.

In the pleading that followed, before the two chief justices and the chief baron, the rival claims of the contestants were closely defined. The court accepted that all the lands in Yorkshire contained in the settlement of 33 Eliz., except the honour of Skipton, were well settled on the 4th Earl and his heirs male. This limited the extravagant suit which had previously been put forward for Lady Anne. However, because of her objection to the clause in the inquisition, the court directed that a special livery be granted to her, to be sued without prejudice to the title of either party, in order to

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1. Appleby MS. Box/3.
  2. B.M. Harl. 6177, f. 63a.
  3. Whitaker, 358.

discern the sufficiency or insufficiency of the inquisition.<sup>1</sup>  
 The livery was sued in 1612.<sup>2</sup>

At this stage the controversy, which had hitherto consisted of the conflicting claims of Lady Anne and Cumberland for actual possession of the estates, was complicated by the mercenary outlook of Anne's husband, Richard 3rd Earl of Dorset. Their marriage, although discussed some time earlier, had taken place in unseemly haste, without licence, in the private house of the Dowager Countess on 25th February 1609.<sup>3</sup> Its undisguised purpose was to forestall the Duke of Lennox and others who ~~thought~~ Dorset's wardship, for his father the 2nd Earl was then on his death-bed and, in fact, expired two days later. Richard Chamberlain commented on the marriage, "howsoever Dorset hath don a true part, and pleased himself, yet the matter might have ben better handled, and he eased himself of a burthen he may peradventure feelee hereafter".<sup>4</sup> Chamberlain might have said the same with equal truth of Lady Anne. Her alliance with Dorset was far from happy and she had the mortification of witnessing her interests in the suit eventually subordinated to his. It was hardly becoming of Anne, in view of the circumstances of her own marriage, to

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1. Whitaker, 358.

2. Appleby MS. Bk. III, 143.

3. H.M.C. Fourth Report, Appendix, (1874), 310.

4. McClure, The Letters of John Chamberlain, 1, 287.

resent Lord Clifford's match with Lady Frances Cecil as merely<sup>1</sup>  
a device to enlist Salisbury's aid for the 4th Earl's cause.

The association between the Cliffords and Salisbury had long been close and Salisbury's help for the 4th Earl now was no more than an expression of his respect and friendship towards the 3rd Earl during his life and concern for the difficulties his activities<sup>2</sup> had created for his successor.

Dorset's pursuit of his own interest, though a new element in the controversy, ultimately simplified the issue, for since he was prepared to barter his wife's rights for a cash payment a compromise could be arranged between him and Cumberland. Whilst the Dowager Countess lived, he could not match their authority. His chance came after her death, but even then he held out for the maximum gain, an attitude in keeping with his dissolute character.

A settlement on the basis of a cash payment was first mooted in 1614. John Taylor in London reported to Cumberland the rumour that the 2nd Earl of Salisbury had offered £25,000 on his behalf as compensation to Dorset, to be paid within two years. Taylor's opinion, for he had not seen Salisbury to seek confirmation, was that Lady Anne's supporters had given "owte these speches to grace their Tytle".<sup>3</sup>

1. B.M. Harl. 6177, f. 53a.

2. See, e.g., S.P. 14/19/81.

3. Althorp, Cumberland Papers, 18th January, 1613/4.



The trial in pursuance of the order granting the livery<sup>1</sup> began at the Common Pleas bar on the 16th June, 1615. Before the hearing, Dorset approached Lord Clifford and demanded £20,000 for Lady Anne's portion and in addition that both the Skipton and Westmorland property be assured to her after the heirs male. On hearing of this, Cumberland protested that this was far too much in both if Dorset thought his claim good. He was certain that they had no just claim to the lands in Westmorland and he still hoped that his own title to Skipton was strong enough. He had always been prepared to pay the portion according to the will and hoped the judges would not increase it since he would have no choice but to raise it from the estates. "It must be considered that my Brother dyed greatly indebted which must be payd", he reminded Lord Clifford. He had written to the judges on this matter. "I doubt not but they will doe us right with favour", he concluded. As regards Dorset, he declared that if he were to pay the portion, he would expect Lady Anne to release the lands to the heirs male, as in the will; if Dorset wanted more, then he would demand a release to the heirs general. He did not think that Dorset would benefit from his attempt to recover Skipton because of the Lord Chancellor's decree during the trial that Anne could have either the lands or the portion, but not both. He hoped that

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1. Whitaker, 358.

wee shall have noe cause to be sorie or greeved  
that it is reserved to those grave and worthie  
Judges who doe not (I am sure) wish the ruyn or  
decay of our house nor will punish us by enlarging  
the portion where the fault was ther owne they had  
it noe sooner nor was I better by the time past but  
much worse by the occasion of these Suites.<sup>1</sup>

The course of the trial both confirmed the earlier  
findings and foreshadowed the terms of the final agreement.  
Lady Anne set forth her title to Skipton on the grant in tail  
made to Robert Lord Clifford. Against this, the Earl's lawyers  
pleaded the grant of the reversion in fee to Thomas Lord Clifford,  
but it was a plea they could not sustain.<sup>2</sup> Even so, the award  
made by Lord Hobart and the judges gave to the 4th Earl both  
Westmorland and the Sherifwick there. Though it upheld Lady  
Anne's right to Skipton, Cumberland was to retain it and pay  
the portion.<sup>3</sup>

The problem was now to compose the division in Cumberland's  
opponents, for the judges referred the award for the consent of  
both parties. Cumberland and Dorset were prepared to accept  
the award; the Dowager Countess and Lady Anne were not.<sup>4</sup> Despite  
his belief that the Countess, her disposition considered, would

1. B.M. Add. 25,463, ff.73,74.
2. Whitaker, 358.
3. Whitaker, 368.
4. Ibid. B.M. Harl. 6177, f.64a.

not cease suit for the estates,<sup>1</sup> Cumberland asked Sir John Bowyer in August 1615 to sound her opinion. "I do protest", she told Bowyer, "that, nexte myselfe, daughter, and sister, I do wish well unto my lord of Cumberland, my lord Clifford, and his lady, and will not think the better of any that shall exasperate me against them". She seemed, Bowyer reported, much offended with Dorset because of some comments he had made in public. Bowyer formed the opinion that she would incline to<sup>2</sup> peace.

In November, the judges met Dorset and counsel on both sides to try to decide the differences between them. "Still the delay", wrote John Taylor, "is on their partes, not ours" . But Dorset was so certain of reaching agreement that he wanted the Earl and Lord Clifford to come up to town at once and though neither the Earl's counsel nor the judges would advise that Taylor requested them to be ready to make the journey as soon as word was sent them.<sup>3</sup>

The caution was justified. Dorset could not persuade Lady Anne to agree to a settlement by composition such as he and the 4th Earl wanted. She declared to her mother on the 15th November,

My Lord is still earnest to press me to the finishing of this matter with my uncle of Cumberland, but by<sup>4</sup> the power of God I will continue resolute and constant.

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1. B.M. Add. 25,463, f.73.
  2. Whitaker, 368.
  3. Bolton MS. Sundry Letter, 105.
  4. Williamson, Lady Anne Clifford, 151.

This attitude Anne maintained obstinately. It exasperated Dorset, as she told the Countess in January;

The time draws on apace, and my Lord is more and more earnest with me to make a final end of this business of my uncle of Cumberland, and persists that, if I do not, he will go into France and leave me.<sup>1</sup>

Since Anne now appeared the major obstacle to reconciliation Cumberland and Dorset in turn tried, in different fashion, to overcome her opposition by less direct methods. In March, prompted by friends of both parties in London who desired "a general peace amongst us", Cumberland instructed Sir Christofer Pickering to approach the Dowager Countess again, in the hope that she would be willing to accept arbitration even if Anne would not. He was so far from spleen or malice, he wrote, that if she were of the same mind he was prepared to refer all matters in dispute to the judges to settle in an award. He stated firmly that he was not suggesting this course out of necessity or distrust of his own right: only as "knowinge whose wife shee was, for whose sake I must ever honor her, and preferring peace farr before warr".<sup>2</sup>

Dorset, for his part, proposed to the Countess with characteristic subtlety that she allow him to occupy the jointure lands and pay her, in return for his occupation, the yearly value of them.<sup>3</sup> Dorset's intention is plain. Occupation

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1. Ibid. 153.

2. Whitaker, 367-8.

3. Williamson, Lady Anne Clifford, 93-4.

would be, for him, possession and he would then do as he pleased. The Countess' death, however, put an untimely end to the possibility of this arrangement and turned an opportunity for peace into the occasion for war.

The Countess died on the 24th May, 1616. On the 26th, Cumberland issued a Warrant to his officers in Westmorland to enter the castles and manors there and to hold them for him in peaceful and quiet possession.<sup>1</sup> At Appleby they were resisted and used force to enter the castle. Hearing of this, the Privy Council, who had warned the Lord Deputy, Deputy Lieutenants and Justices of the likelihood of trouble, ordered them to take steps necessary to keep the peace and to safeguard the Dowager Countess' goods.<sup>2</sup> Cumberland was quick to defend his action. He explained to the Council that he had given instructions for peaceful occupation. Indeed, he said, he had expected no opposition, for the Common Pleas award had settled the matter of the succession of the Westmorland estates and the Earl of Dorset had recently affirmed his acceptance of the award.<sup>3</sup>

The new difficulty was caused by a complete reversal in Dorset's attitude upon realising the possibilities of the new situation. Since the award, he had been willing to co-operate with Cumberland in the hope of a speedy settlement and payment

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1. Althorp, Cumberland Papers.
  2. Althorp, Cumberland Papers, Privy Council to the Lord Warden, 7th June, 1616.
  3. Whitaker, 368.

of the portion or similar composition from which he would profit, The death of the Dowager Countess left him as the arbiter of Lady Anne's fortunes. It was a position which he could not fail to appreciate. In the first week of July word was sent to Cumberland from London that not only was there

noe hope of Agreement lyke to be betweene us and my Lord of Dorsett but that nowe he also shrinks from what was sett down and awarded and seeks all occasions to begin Suite againe as formerly.<sup>1</sup>

This news put Cumberland on his guard. He was not willing to yield the initiative to Dorset. He heard that Lady Anne was on her way to Westmorland attended by twelve servants, had in fact reached Boroughbridge, and that Dorset would shortly follow her. He feared she might attempt at Appleby to deprive him of possession. He was confident of the care and discretion of his officers there, but sent Richard Hughes in haste to add purpose to their authority. He gave Hughes orders to get in twelve loads of hay from the south field, have some beer brewed and make it known that the Earl himself intended to travel there soon, "for so it is very lyke". He was heartened by the assurance of Sir Richard Hutton<sup>2</sup> who offered, he said,

to adventure his whole estate in Goldsborough thereupon that there is noe doubt but all is Cleare on oure syde if we can but hold what we have gotten.<sup>3</sup>

Though the Earl's orders led to serious disturbances

1. B.M. Add. 25,463, f. 74.
2. For Hutton see D.N.B. x.359. He was created a puisne judge of the common bench in 1617.
3. B.M. Add. 25,463, ff. 74-5.

between his tenantry and Lady Anne's, for her tenants in Westmorland had already begun hay-making,<sup>1</sup> authority was in his favour. Before the end of July, the justices of assize sequestered Brougham castle where Anne had set up house, and early in August granted Cumberland permission to use Appleby castle. Dorset and Lady Anne were not deterred by this. On the 20th, they challenged Cumberland's claim to the Sherifwick<sup>2</sup> by issuing a patent to an undersherif nominated by them. Before the month was out, there had been another disturbance at Appleby, this time a clash between Lord Clifford's followers and Dorset's.<sup>3</sup> Three weeks later, both parties appeared before Lord Sheffield, President of the Council of the North, to plead their causes. Once again, no reconciliation was<sup>4</sup> achieved.

From London, to Westmorland, to York: then inevitably south to London. Almost upon arrival, Dorset and Lord Clifford threatened to put their quarrels to the private test of skill in arms. The King and Council, hearing of it, ordered them to "forebeare one another, and try out theyre controversies by warres in Westminster Hall".<sup>5</sup> But a return to legal sparring

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1. Williamson, Lady Anne Clifford, 99.
  2. Appleby MS. Bk. III, 253-4.
  3. Williamson, Lady Anne Clifford, 100.
  4. Appleby MS. Bk. III, 253.
  5. McClure, The Letters of John Chamberlain, ii, 35.

of which there had been a surfeit in the past ten years, was no means of assuaging quick tempers primed by constant cause for provocation and legitimate discontent. No course was now left but for the contestants, Dorset and Cumberland, jointly to approach the King. James intimated that he would be pleased "to take into our Princely consideration the hearings endinge and finall determination" of all the suits and controversies between them. He did so and on the 14th March 1617 gave his<sup>1</sup> decision.

#### ii. The Settlement

In his decision, known as the King's Award,<sup>2</sup> James confirmed the earlier findings of the courts and in particular the Common Pleas judgment of 1615. In effect, the award acknowledged Lady Anne's claim to Skipton and Westmorland but recognised that the dispositions made by the 3rd Earl in his will were an equitable as well as a practicable arrangement. With the status quo as the basis of the settlement, the 4th Earl retained possession of the estates and agreed to give £20,000 as compensation to the Earl and Countess of Dorset; £17,000 to be paid within two years, the final £3,000 upon Lady Anne's acceptance of the award.

Thus, twelve years of arduous and costly legal conflict had established two points: Anne's prior right to the honour of Skipton and a more limited claim on Westmorland and the

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1. Appleby MS. Box/5.  
2. Appleby MS. Box/5.



Sherifwick, as distinct from her grandiose demand for the whole inheritance; and the 3rd Earl's realistic approach to the question who should inherit, in view of the burdens on the estates that he had created. Even so, the 3rd Earl must be held largely responsible for the situation in which his sober, if belated, realisation of his obligations could have had no other result than a dispute over the succession.

The King's Award was a comprehensive document which regulated the present tenure and future inheritance of the estates, the payment of the portion and the means allowed to Cumberland for raising the portion from the estates. The award laid down that the ~~estates~~ estates in dispute, Skipton and Westmorland with the Sherifwick, should be held by the 4th Earl during his life and then descend to Henry Lord Clifford and his heirs male, and in default to the heirs male of the 4th Earl. In case of the failure of the male line, they would pass to Lady Anne and her right heirs, male first, then female, and in default to Lord Clifford's daughters and finally to the 4th Earl's. All the other property inherited or acquired by the 4th Earl was to pass to his right heirs.

In the estates which Anne or her heirs might inherit, Cumberland was forbidden to grant leases for terms longer than 99 years and/or 3 lives. However, in order that he might pay the £20,000 to Dorset, he was permitted to grant leases for any number of years to tenants in Silsden to the value of no more

than £20 a year in rents and to confirm the tenures of those Westmorland tenants who held, or claimed to hold, by custom of tenant-right for fines to be agreed upon between them and the Earl.

The King and his advisers did not neglect the possibility that Anne would refuse to accept the award. In order to safeguard Cumberland after his payment of the portion, Dorset was to assure to him manors worth £25,000 which he could lawfully enter and sell if, after Dorset's death, Anne should again commence suit. Finally, any ambiguity in the award or dispute over interpretation was to be referred to James I himself.

The subsequent events revealed how futile had been the 4th Earl's hopes of settling the differences between the parties by mutual consent. The terms of even this final decision were put into effect by compulsion. As in 1615, Cumberland and Dorset accepted the award, Lady Anne would not. Since she alone<sup>1</sup> had been opposed to the King's arbitration and the award, she could be ignored. The 4th Earl and Dorset strictly observed the terms of the award. Dorset made the necessary assurance of manors for the 4th Earl's protection.<sup>2</sup> Cumberland gave security<sup>3</sup> by statutes for his payment of the £20,000 and henceforth refrained from granting leases in the Skipton manors for periods

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1. The Queen had advised her not to trust her cause to the King (W. Notestein, Four Worthies, 164).
  2. C/ 54/2348.
  3. L.C. 4/198/385. These statutes are given supra, in Table A.

longer than the award stipulated.<sup>1</sup> He introduced a private bill in Parliament for confirmation of the estates of the Westmorland tenants,<sup>2</sup> which he was obliged to do if Lady Anne refused to accept the award. In this instance only, albeit an important matter, was there a semblance of a breach of good faith. The bill was not enacted, partly because of the dissolution of the 1621 Parliament, partly one may suspect, because of a natural disinclination on the Earl's part to hasten its passage since enactment would mean that he would have to pay the final £3,000 to Dorset.

Dorset's defection in 1617, by which he escaped royal displeasure, heightened the despair and bitterness Lady Anne felt now that the inheritance was denied her. Yet, she took pride in the fact that she "did absolutely refuse to submit or Consent to the sayd award.....though it continued in force against her"<sup>3</sup> until 1643. Although she did not begin suit against the 4th Earl, in 1628, 1632 and again 1637 she formally entered the estates to assert her own rights.<sup>4</sup> In 1641, Lady Anne and her second husband, Philip 4th Earl of Pembroke, introduced a private bill into Parliament, with the 5th Earl's agreement, to preserve her right title to the estates without prejudice from the 4th Earl's actions or the livery to be sued by the 5th Earl.<sup>5</sup>

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1. The 4th Earl's estate policy is discussed in Chapter XI.
  2. W. Notestein, F.H. Relf, H. Simpson, (Eds.) Commons Debates, 1621, (Yale, 1935), iv, 349-50; v, 376.
  3. Appleby MS. Bk. III, 221.

/contd.

In December 1643, with the death of the 5th Earl, the male line of the Cliffords ended and the Skipton and Westmorland estates descended to Lady Anne in accordance with the provisions of the award.<sup>1</sup> She had waited long for her rightful inheritance. All her efforts to win it, legally or illegally, had been frustrated. The course of her life up to that time, indeed, had been a cause for sorrow. She had seen her father's affection alienated to a lady of quality, had first married the Earl of Dorset, regretted it, and then the Earl of Pembroke and regretted that even more. Dorset had wished to translate her right to the inheritance into cash and succeeded; Pembroke had sought to put her daughter's rights to a similar use. He did not succeed.<sup>2</sup> For Anne, the pious and gentle lady, this decease of the 5th Earl was the judgment of God, the justification of her lone struggle to enter into her own. For Anne, the ruthless and ambitious arbiter of her dignities and properties, it was the

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references 4 & 5 continued:-

4. B.M. Harl. 6177, ff. 65b, 66.
  5. H.M.C. Fourth Report, Appendix, 108.
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1. Mr. Trevor-Roper and Mr. Rowse have stated incorrectly that all the 3rd Earl's estates passed to Lady Anne. She inherited only the original Skipton and Westmorland property. See Trevor-Roper, Ec.H.R., 2nd ser. iii, 293 n.3, and Rowse, The Expansion of Elizabethan England, 296.
2. H.M.C. Eleventh Report, App. pt. vii, 89; B.M. Harl. 6177, f.63a.

opportunity to squeeze out of her tenants a living worthy of the honour of Clifford, with which she could restore her lands and end<sup>1</sup> her days a solitary but dominating figure.

The dispute over the rightful possession of the estates was renewed after her death in 1676. The Earl of Burlington brought an action of ejectment against Anne's successor the Earl of Thanet for Barden which Anne had occupied since 1649 as part of the original honour of Skipton. The Countess of Cork, the 5th Earl's daughter, had claimed Barden on the grounds that the conveyance of the manor to Lord Clifford by fine and recovery in 1611 was valid, since the reversion had been taken out of the Crown three years before in 1607. Burlington won his suit for Barden,<sup>2</sup> but could not sustain a claim for Silsden based on the clause improperly inserted into the inquisition taken in 1609.<sup>3</sup>

### iii. The Westmorland Estates under the 4th Earl.

The 4th Earl took possession of the Westmorland estates in 1617. Of the four castles, Pendragon was derelict and Brough had been burnt down after a noble Christmas kept there by Henry, the Shepherd Lord.<sup>4</sup> Brougham had always been the main residence and it was at Brougham that the 4th Earl entertained James I

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1. She is said to have spent £40,000 in restoring the Cliffords castles (Williamson, Lady Anne Clifford, 2). Her attitude to her Westmorland tenants is described in Chapter XI, pp.
  2. Whitaker, 310-11. 349, 351.
  3. Londesborough MS. M/7.
  4. Whitaker, 421.

in August 1617, whilst the King was on his journey south from Scotland. Thomas Little, the Londesborough steward, describing the feasting, said:

I may well Call it a great feast and I am sure the Lyke was not in Westmorland these manie yeares for in these two daies we have spent vi fatt oxen, and lxiii fatt muttons besydes all other provisions of all sortes.

He sent his wife a salmon pie so that she might see for herself<sup>1</sup> "the fashion of our bakt meates at this great feast".

In London at this time, the Earl's friends were striving to save him the charge of brokerage, which would amount to a great deal of money, on the loans he was compelled to raise to make the first great payment to Dorset, due at Michelmas 1617. They were risking their own estate and credit to do this, "meerly out of their Loves to preserve both state and honour" for the Earl. John Taylor was now at Appleby, preparing for the negotiations with the tenants for the new leases to be granted to them. He hoped that his work would advance the Earl's profits greatly. It was, he said, "a great, a difficult, and wilbe a long worke ere all be done, yf it be rightly handled that by haist we make not waist".

Since few leases could be made before Dorset's first payment fell due, Taylor was anxiously awaiting the news from London that the loans had been negotiated. He explained to Cumberland that it would "Redounde muche to your honour yf god

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1. Althorp, Cumberland Papers, Thomas Littell to William Harper, 9th August, 1617.

send it well done and advance your Raites<sup>1</sup> heare when the Country sees yo<sup>3</sup> are able to do it without them". The loans, for £5,000, were taken up within two weeks by Thomas Paradine and William Taylor of London and John Taylor, Cumberland's servant. The Earl conveyed his Cumberland manors to them as security<sup>2</sup> and gave John Taylor and Thomas Pickering, his solicitor, authority to receive the money for the repayment of the loans from the rent and fines from the leases they were granting to the Westmorland tenants.<sup>3</sup>

The terms for the leases to be made by the Earl in confirmation of the custom of tenant-right on his manors had been laid down in the King's Award. The rate of fine the tenants would pay alone was arbitrary. The Earl's officers persuaded them to pay fines equal to 35 years' rent. The sum raised by the new leases was £15,275.<sup>4</sup> On the 27th October 1619, the Earl gave the tenants assurance of their tenure which, in compliance with the award, would be good and effective against all future lords of the manors.<sup>5</sup> The indentures enrolled for this purpose reserved to the Earl the ancient rents of the tenements and the accustomed dues and services; a fine certain of 7 years' rent to

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1. Londesborough MS. M/1.
  2. C 66/2158.
  3. Appleby MS. D/1/4.
  4. C 54/2402, 2404, 2413, 2414.
  5. Lady Anne challenged the validity of the tenures when she entered the estates in 1650. See infra, Chapter XI, p. 349.

be paid on the death of each lord or tenant or upon alienation. The inheritance was to be as the inheritance of freehold according to the common law of England, except that in default of male heirs the holding would descend undivided to the eldest daughter. The tenants agreed that in the event of Lady Anne's acceptance of the award, or confirmation by Act of Parliament, they would contribute an extra fine of one year's rent towards the £3,000 of the portion the Earl would then be required to pay.

The 4th Earl also took full advantage of the permission given him in the award to raise part of the money for Dorset from Craven by granting leases to Silsden tenants provided their combined rents did not exceed £20. He received £2,000 from long leases made to 32 tenants, who paid fines at the rate of 100 years' rent.<sup>2</sup> He gave them security for their new tenures in the usual manner.<sup>3</sup>

The acquisition of the Westmorland estates was of great value to the 4th Earl as an essential addition to his revenues since, after Craven, they were the Cliffords' biggest source of income.<sup>4</sup> No detailed survey of the Westmorland revenues is possible.<sup>5</sup> However the main items of income can be described.

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1. E.g. the tenants of the Forest of Mallerstang, C 54/2402.
  2. Skipton MSS. A/ Bundle, "Old Conveyances".
  3. Yorks. Fines, Stuart, II, 159.
  4. See supra, Chapter VII, p. 212.
  5. For the Westmorland manors and their value in 1573 see Appendix I.



The ancient tenement rents contributed £446, demesne rents in normal years rather more than £500 besides the value of the land occupied by the Earl. Alienation fines brought in £120<sup>1</sup> annually. In Westmorland, as in Craven, the woods were a valuable asset which the 4th Earl exploited. The receipts from woodsales rose from an average of £94 before 1623<sup>2</sup> to £250<sup>3</sup> after 1630, the highest recorded figure being £308 in 1643.<sup>4</sup> The lease of the Earl's coalmines at Stainmore gave him a profit of £20 a year.<sup>5</sup> His receipts from the iron works at Brougham in the four years 1619 to 1622 fell below the costs; £536.8.0 compared with £806.1.7.<sup>6</sup> Later they were leased for £30 a year.<sup>7</sup>

The other sources of revenue were, like the ancient rents, virtually unchanged in this period. The free tenants in the various manors and townships who paid cornage, neatgeld and poulter hens contributed £45 a year; those who paid serjeant<sup>8</sup> oats, £43; amercements brought in £10 a year.

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1. Bolton MS. Bk. 272, titles 1,2,3.
  2. Londesborough MS. A/4.
  3. Bolton MSS. Bks. 269 to 273, passim.
  4. Bolton MS. Bk. 273, title 8.
  5. Bolton MS. 272, title 1.
  6. Londesborough MS. A/4.
  7. Bolton MS. Bk. 272, title 1.
  8. Bolton MS. Bk. 269, titles, 5,7,10.

The gross income from all the 4th Earl's Westmorland estates after 1617 was in the region of £1,500 a year. In 1638,<sup>1</sup> for example, the revenues totalled £1,531;<sup>2</sup> in 1640, £1,493. Until 1622, the expenses at Appleby, unusually heavy on account of the activities on the estates, absorbed half the income,<sup>3</sup> leaving a profit of barely £790 each year. After 1622, costs fell and the profit was correspondingly higher, approximating<sup>4</sup> with some variations to £1,200.

The effect on the 4th Earl's revenues, at their lowest immediately prior to 1617, of the addition of the income from the Westmorland estates has been dealt with in a previous chapter<sup>5</sup> It must have appeared of vital importance to him, because of the state of his finances, that he should not only retain the Skipton property but also obtain the Westmorland manors. His principal debts were those he had inherited from the 3rd Earl. It would have been unjust to Cumberland to burden him with the responsibility for paying his brother's debts and deny him his brother's estates. The 3rd Earl had made his will with this premise in mind: the King's Award reaffirmed the principle.

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1. Bolton MS. Bk. 269.
  2. Bolton MS. Bk. 271.
  3. Londesborough MS. A/4.
  4. E.g. £1,169 in 1626, £1,240 in 1635. (Bolton MSS. Bks.113, f.1a; 119, f.1.)
  5. See supra, Chapter VII, p. 212.

Major decisions, however, can have consequences both complex and unexpected. The King's Award, to which the 4th Earl readily consented, had for him financial implications which it is doubtful if he could have foreseen. The problems created by the award will be examined in Chapter X.

The extinction of the male line of the Cliffords in 1643 gave a curious twist to the significance of the inheritance dispute and the settlement by the King's Award. It meant that the Earl and Countess of Dorset had doubly benefited from the award: Dorset by the receipt of £17,000 into his coffers,<sup>1</sup> Lady Anne by her lawful entry into the estates she claimed. In contrast, the 4th Earl had purchased what amounted to a life tenure of the Skipton and Westmorland manors for himself and Lord Clifford<sup>2</sup> at a price which, as will be made clear below, cannot be measured only in terms of the payment of the £17,000 to the Earl of Dorset.

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1. Mr. J.P. Cooper has assumed, mistakenly, that Dorset and Lady Anne received £35,000, i.e. both the £15,000 portion granted in the 3rd Earl's will and the £20,000 under the Award. (Cooper, Ec. H.R., 2nd ser., viii, 380).
  2. See Chapter X, p. 303 et seq.

CHAPTER IXTHE LICENCE TO EXPORT UNDRESSED CLOTHS1. The Cliffords' Tenure of the Licence, 1601-1626.

The licence to export undressed cloths enjoyed by the Cliffords from 1601 to 1626 was a valuable source of income which supplemented the 3rd and 4th Earls' estate revenues at a time when the greatest demands were made upon them. For this reason alone the Cliffords' tenure of the licence requires special consideration. But the licence is also of interest for its wider implications. It closely linked the Cliffords with the exporters of undressed cloths, the Merchant Adventurers. Economic and political issues which concerned the Merchants now directly affected the Cliffords. Consequently, they became involved in the special problems and controversies of this major activity in the commercial life of the nation.

This had been true of previous holders of such licences, but not to the same extent. The Cliffords' licence differed from all earlier licences in that their profits depended on the state of the export trade in cloths. They were thus far more sensitive to commercial and political problems which might have the effect of limiting their profits. Moreover, whilst crises

in the organisation of the Merchants' company and in the trade in cloths were not uncommon, the Cliffords' tenure of the licence coincided with the notably disturbed period of the Cockayne experiment and the subsequent trade depression. The Cliffords' own fortunes were precariously balanced at this time.<sup>1</sup> Not only the actual profits but variations in the profits anticipated were for them of great importance. The Cliffords' tenure of the licence can be regarded by virtue of the close inter-relation between their own, the company's and the nation's prosperity as a particularly explicit example of both the advantages and the complications of possessing licences in the early seventeenth century.

Licences for the export of undressed cloths were essential if the penalties of the statute 27 Henry VIII caput 13 were to be avoided. The statute declared that no white cloths above £4 in value and no coloured cloths above £3 could be exported unfinished. The statute was the last of a series of acts which limited the price of unfinished cloths exported so as to foster the finishing crafts in England but, like its predecessors, it had been quickly outdated by the general rise in prices. The prices of cloths exported unfinished were now well in excess of the limits laid down in the statute. Yet the statute remained in force; only the coarsest cloths, those under £4 in value, and

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1. See infra, Chapter X.

Kent and Suffolk cloths whose export unfinished was forbidden were exempt from its penalties.

In order to avoid the legal obstacle imposed by the statute and the price rise, the Merchant Adventurers were granted in 1564 a free licence to export yearly 30,000 cloths. This licence legalised no more than half the export trade for the Merchants could export regularly double that number of cloths worth more than the limits set down by the statute and of the 30,000 allowed by the licence only 5,000 could be of any value, the remaining 25,000 being restricted to a price of £6 or under.<sup>1</sup> The deficiency was remedied by Crown grants of licences which like the Merchants' free licence dispensed with the operation of the statute but, unlike their licence, set no limit on the price of the cloths exported.

Queen Elizabeth regularly granted these additional licences to noblemen and other servants who "deserved well" of the Crown<sup>2</sup> and made similar but less valuable grants to foreign royalty.<sup>3</sup> By purchasing these licences from the grantees, the Merchants were able to maintain their virtual monopoly of the trade in undressed cloths and to export 60,000 cloths annually above £4<sup>4</sup> in value despite the statute to the contrary. The Crown, on its part, had in the granting of licences a means of rewarding its

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1. Astrid Friis, Alderman Cockayne's Project and the Cloth Trade, (1927), 39-44, 53 et seq. See also Cal. S.P. Dom. Add. 1547-65, xi, 112.
  2. H.M.C. Salisbury MSS. viii, 475.
  3. S.P. 12/264/170.
  4. Cal.S.P. Dom. Add., 1547-65, xi, 112.

servants without incurring expense to itself. Amongst those who benefited from large grants were the Earl of Leicester, Sir Francis Walsingham, with three licences for a total of 200,000 cloths, and Sir Edward Stafford with a licence for 100,000 cloths<sup>1</sup> assigned to him by the Lord Admiral Howard.

It was usual for suitors to petition for a new licence long before the previous licence had expired. This avoided what could have been an awkward situation for the merchants if the existing licence as well as their own free licence had been fully taken up. With constant pressure on the Crown for licences, this situation was unlikely to occur. More often, two licences overlapped and ran concurrently, as in 1589, when Stafford, in great need of money, was allowed to use part of his licence immediately and was thus given precedence over both the Merchants' licence and Walsingham's which had not been fully<sup>2</sup> utilised.

The grant of a new licence was invariably an occasion for vigorous opposition from the Merchant Adventurers with the purpose of avoiding the expense of purchasing the new licence and of attempting to convert their own free licence into a comprehensive grant without limit on price or numbers.<sup>3</sup> The

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1. S.P. 14/71/89.

2. B.M. Lansd. 60, f.14. The reason for the licence may have been to provide Stafford with money and munitions for Henry of Navarre. See, D.N.B., xviii, 856 a.

3. See e.g., B.M. Lansd. 60 f.14; S.P. 15/34/24.

Merchants complained, with some truth, that the Queen granted out licences faster than they required them, and that they "were Importuned to laye oute greate sommes of money" to buy the licences before they needed them.<sup>1</sup> Though their collectively organised wealth and numbers gave them great bargaining power, they were hampered in negotiating the price to pay for licences by the fact that sooner or later they would have to buy them.

In 1599, the Merchants were experiencing a period of stress in their external organisation, the result of the Imperial ban on their trading as a group two years earlier,<sup>2</sup> and were involved at home in a controversy with the Clothworkers' company over the finishing of every tenth cloth exported which the statute of 8 Elizabeth cap.6. obliged them to permit.<sup>3</sup> Although 50,000 cloths had yet to pass on Sir Edward Stafford's licence, Thomas Caesar Esq of the Inner Temple and Robert Webbe, a clothier of Somerset, added to the Merchants' difficulties by petitioning the Queen for the grant of a new licence.<sup>4</sup>

The patent Caesar and Webbe requested differed from earlier grants. They proposed a term of 21 years in which exports on their licence would be unlimited whereas previous

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1. S.P. 14/72/70.

2. Friis, *op.cit.* 71; S.P. 15/34/24.

3. Friis, *op.cit.* 58-9. Cal. S.P. Dom. Eliz., 1598-1601, CCLXX,  
128.

4. S.P. 12/274/19.



licences had restricted the number of cloths, in the most generous grants, to 100,000. They offered a rent to the Crown of £2,000 a year, although former licences had been free, and promised to pay to the clothworkers £20 a month towards the relief of the poor and in compensation for no longer including one dressed cloth in every ten exported, which was stipulated in the additional licences as well as in the Merchants' free licence. They quoted the clothworkers' own evidence that out of 56,000 cloths recently exported only 300 had been finished. The offer of £20 a month, they considered, would be "much more for doing no labor" than the clothworkers<sup>1</sup> were receiving from all their finishing.

The Merchants responded to Caesar's petition with their own offer of a rent of £1,500 for a similar licence, but it was criticised because of the smaller rent and the danger of giving the Merchants full control of the trade and, thereby, opportunity to deceive.<sup>2</sup> On the 17th January 1600, Caesar's petition was referred by the Master of Requests, his brother Sir Julius Caesar to the Lord Treasurer and Lord Chief Justice for decision.<sup>3</sup> There the petition must have foundered, for no more is subsequently heard of it.

Whether or not Caesar's request for a new licence was thought premature, or the quality of the petitioners doubted,

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1. S.P. 12/261/47; 12/274/19.
  2. S.P. 15/34/24.
  3. S.P. 12/270/128 f.11b.

with it began a new phase in the recurrent struggle as to who should obtain the next licence and, no less important, the form the licence would take. The rejection of the suit was an invitation to others to join issue. It is not surprising that the 3rd Earl was the next to seek a licence. He was anxious to find some method of paying his debts as an alternative to raising the money out of the estates. He could plead service to the Crown as well as necessity owing to indebtedness.<sup>1</sup> He also had connections with the Caesars. Sir Julius was an intimate friend<sup>2</sup> and Thomas had sailed with him in 1591 and was close enough to the Earl to sit as his nominee for the borough of Appleby in the 1601 Parliament.<sup>3</sup>

The Earl's first petition was a strange combination of provisions taken from earlier grants as well as from Caesar's suit with little in common to commend them. He requested a patent to allow him to buy and sell 1,000 sarpcloths of wool each year without conversion, as in a licence made to Walsingham in 1572;<sup>4</sup> to prohibit aliens from buying wool without his licence; to have the moiety of the penalties arising from the statute against wool broggers<sup>5</sup> and, finally, a licence to export

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1. H.M.C. Salisbury MSS. X, 138,234.
  2. B.M. Add. 12,506, f. 233.
  3. Returns: Members of Parliament, pt.1,1213-1702, (1878), 440.
  4. Conyers Read, Mr. Secretary Walsingham and the Policy of Queen Elizabeth, (Oxford, 1925), iii, 382 n.3.
  5. 5 & 6 Ed. VI cap.7, Statutes of the Realm, iv, 141.

unfinished white cloths. As in Caesar's petition, the term<sup>1</sup> would be for 21 years. He offered for all these a rent of £500.

Shortly after, the Earl considered it wiser to confine his proposals to the main provision and in a second petition offered a rent of £1,000 for a licence to export undressed white cloths<sup>2</sup> for 21 years. He proffered this suit to the Queen in person on the 1st May and was greatly discouraged by her manner of rejecting it. It would never have troubled him, he wrote to Cecil, if the rent he offered had been thought too small or any other detail objected to, but it hurt him that he had at once been "judged a cosener and so absolutely denied".<sup>3</sup> When he approached the Queen again, in July, he took care to stress that he wanted the licence less for his own profit than to satisfy his creditors. The Queen, once more, was unsympathetic.<sup>4</sup>

At this time, there was still no need for a new licence. Since Caesar's petition, 20,000 more cloths had been exported on Stafford's licence, leaving a residue of 30,000 which would<sup>5</sup> permit trading for another full year. Nor was the Queen alone

1. S.P. 12/270/128. f.18a.
2. S.P. 12/270/128 f.19a.
3. H.M.C. Salisbury MSS. x, 138.
4. Ibid. 234.
5. S.P. 12/270/128. f. 18b.

in objecting to the Earl's suit. The Merchants had not been slow to point out its inconveniences. Their arguments, in the main, repeated those put forward against Caesar's proposals. The Earl's patent, they counselled, would overthrow the arts of clothworking and dyeing; it would create a monopoly of cloth sales in the hands of the licensee and throw open trade, thereby diminishing the sale of cloths abroad at their present value to the detriment of all concerned, especially the clothworkers. It would prove to be "a plaine subsidie or trybute" and a further breach in the privileges of the company. The Merchants and the Lord Admiral would, in addition, lose the benefit of their former patents.<sup>1</sup>

These arguments followed a pattern familiar in the polemics of the Merchant Adventurers. In answering their objections, Cumberland pointed out that with other licences in being no monopoly was possible: that for the Merchants to pay for the use of his licence was neither a tribute, for no merchant was compelled to pay, nor taxation, but a "Quid pro quo: viz: money for liberty to do a thinge otherwise unlawfull" which accorded with customary practice. The Merchants, he said, would continue to benefit from their own licence and from the Lord Admiral's which they also possessed. Nor was there any breach in the liberties of the Merchants' company for his licence would merely repeat conditions accepted in earlier patents. Like Caesar, he quoted the clothworkers to prove that they would

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1. S.P. 15/25/26.

suffer no loss in trade under his patent; unlike Caesar, he did not offer them compensation. The Merchants' final argument that his licence would also comprise coarse and Kent and Suffolk cloths, he summarily rejected.<sup>1</sup>

Over a year elapsed before the Queen accepted Cumberland's pleas and granted the patent. It was passed on the 7th August 1601. In its main provisions, the licence followed the pattern first outlined in Caesar's petition and was thus a departure from the form of earlier grants. The Earl was to pay a rent of £1,000 and the number of cloths to be passed on the licence was unlimited, though the term was for only ten years. The licence was to cover all undressed cloths, coloured as well as white: the Earl had some recompense in this provision for the shorter term of his tenure. The provision for the dressing of the tenth cloth was left out, without compensation to the clothworker. The Earl was allowed the full penalties for forfeitures, the Queen generously waiving her rights to half of them. The remaining articles in the patent dealt with the administrative powers allowed the Earl. These were extensive. He was to have an office in the Custom house, appoint up to eight officers in London and two in any other ports with full rights of search and legal redress.<sup>2</sup>

Cumberland could be well satisfied with his licence. In theory, it would prove more profitable than Stafford's, for

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1. S.P. 12/244/105.

2. S.P. 12/281/44. Stafford's powers had been much less comprehensive. See B.M. Lansd. 62 f.49.

although the term was limited to ten years and £1,000 of the annual receipts would be paid out in rent, Stafford's licence had been the equivalent of no more than four or five years' exports and lasted twelve years only because previous licences<sup>1</sup> were still in being when his patent was passed in 1589. In contrast, when Cumberland received his grant in 1601 the number of cloths remaining on Stafford's grant was negligible.

The grant of the new licence to Cumberland, far from settling one of the current problems in the export trade in cloths, created for the Merchants' company new but not wholly unexpected difficulties. Although the clothworkers were the only group which overtly suffered as a result of his licence, in the months following the grant the Merchants also found their privileges threatened. The cause was Cumberland's use of the powers granted in his licence to exploit the division in the Merchants' company in order to enhance the price they would have to pay him for exporting on his licence. In considering what price to ask, the Earl could quote the 2/4d per cloth paid by the Merchants to Sir Edward Stafford,<sup>2</sup> or the 2/6d the company imposed on its members in allocating the stint of its free licence.<sup>3</sup> He offered his licence to the Merchants

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1. B.M. Lansd. 60 f.14.

2. Cal. S.P. Dom. Add., 1547-65, xi, 112.

3. B.M. Lansd. 62 f.48.

demanding, according to them, "a greate price". They in turn suggested a smaller figure which the Earl refused to accept.<sup>1</sup> To force the issue, Cumberland took the action the company feared most. He interpreted literally his right to grant licences to "all persons in all places", the words used in his as in all previous patents to which the Merchants had futilely objected in his second suit.<sup>2</sup> He threw open the trade in undressed cloths by offering to all merchants who wanted it permission to export on his licence. He was thus able to undermine the authority and monopoly of the Merchants and demonstrate his own bargaining powers in the most effective manner.

He was successful in his action because two groups of merchants were eager to export on his licence; the interlopers, a constant annoyance to the Merchant Adventurers, and a dissident minority of Merchants, "false brethren of the company", who had already taken advantage of the Council's grant of freedom of trade on the Elbe and the Weser in the previous March.<sup>3</sup> Cumberland appointed one of these Merchants as his deputy at the Custom house, a man described by the Governor as "knowne to be a very enemie to honest men....and a greate freinde to those which by all meanes practiseth to deceive the Company of their impositions".<sup>4</sup>

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1. S.P. 14/72/70.

2. Cf. Cumberland's reply to the Merchants' objection in S.P. 12/244/105 f.2b.

3. Friis, *op.cit.* 72.

4. S.P. 12/283a/51.

The contention between the Earl and the company seriously increased the uncertainty of trading in already unsettled conditions. Bitter negotiations followed, with the Privy Council mediating between the parties.<sup>1</sup> John Taylor told Francis Clifford that the Earl had never undertaken anything in his life which caused so much trouble. The Merchants defended their interests with great vehemence. The controversy had become a cause of state. The Council had been compelled to give much attention to it and they were more divided in their opinion on this issue than Taylor had ever known them.

The Queen, however, was very gracious to the Earl and when his friends on the Council showed themselves it was apparent that the majority was on his side. The Earl won himself great commendation in his handling of the matter. The Merchants, Taylor declared, "are a great adversary and an overmatche almost for any particular person. Yf ever my Lord had gone away before this Matter had been decyded his Patent would sure have been overthrown".<sup>2</sup>

Before the end of March the controversy had ended. The Council decided that Cumberland's licence should come into effect in place of Stafford's and that the Merchants should pay him 2/2d for each cloth exported under his licence. They confirmed the Merchants in their monopoly, for only the company was to be allowed to use his licence. This eventually cut out the interlopers' legitimate activity, though not immediately, for

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1. S.P. 14/72/70.

2. Althorp, Cumberland Papers, 7th March, 1601/2.



the Earl's licences to them could not be revoked.<sup>1</sup> The Merchants were also freed, as in the Earl's patent, from dressing the tenth cloth. In effect, the Council re-imposed the conditions of the export trade in undressed cloths which had prevailed before the grant of the 3rd Earl's licence, except that the dressing of the tenth cloth was now no longer required.<sup>2</sup>

If the terms were to the Earl's satisfaction and no less advantageous to the company, the other interested groups, the Clothworkers and the Eastland Merchants, regarded them as intolerable.<sup>3</sup> The Eastlanders, having had a recent, brief experience of freedom of trade, petitioned the Council for liberty to export equal to that granted the Merchant Adventurers. They were refused and continued to export legally only their customary allowance of 200 undressed cloths.<sup>4</sup>

The Clothworkers, whose position alone deteriorated as a result of the Earl's licence and the Council order, resorted to more forceful tactics. They seized certain cloths on the grounds that they were not dressed according to the statutes and followed suit in the Exchequer until some of them were committed for it. The Privy Council ordered them to cease the prosecution until the matter were decided by Parliament. In consequence, the Clothworkers preferred their suit to the lower

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1. Friis, op.cit. 73. Althorp, Cumberland Papers, Cumberland to Clifford, 23rd March, 1601/2.
  2. S.P. 14/72/70; A.P.C., 1601-4, 488.
  3. H.M.C. Salisbury MSS., xiv, 287.
  4. Friis, op.cit., 224.

house, where it became one of the central questions debated by the Commons in their attack on monopolies and the royal prerogative.<sup>1</sup>

To describe the course of the debates is beyond the scope of this chapter. Cumberland's position can, however, be briefly mentioned. His interest as farmer of the licence was in opposition to the Clothworkers' demands and the prevailing temper of the Commons. His licence was directly dependent on the royal prerogative for it was granted with a clause of non-obstante against the statute 27 Henry VIII cap.13. He was, therefore, thrown into an uneasy alliance with the Merchants, claiming with them, on the one hand, that it were better for the King to licence than "by one parliament to set free that which without another parliament the kinge cannot restraine without much grudging"; but also emphasising his special position in that he provided the Crown with a rent of £1,000, an imposition which he considered the Merchants were better able to bear than the Commons, and a further £2,000 he claimed by preventing the Merchants' evasion of customs duties on cloth.<sup>2</sup>

Paradoxically, the major threat to Cumberland's tenure of the licence in the first years after the grant came not from any attempted limitation of the royal power to grant licences,

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1. S.P. 14/27/68; A.P.C. 1601-4, 489.
  2. S.P. 15/43/54.

but from that prerogative itself or rather abuse of it by the new monarch, James I. The clause in the Earl's patent prohibiting the grant of other licences within the term of his licence did not prevent certain courtiers from requesting nor the King from bestowing them. A patent for the export of 15,000 undressed cloths made to Sir James Hay and Sir Philip Herbert in December 1603 was followed almost at once by a similar grant<sup>1</sup> to Peter Van Lore.

Cumberland protested at this violation of his patent and demanded payment of 2/2d on all the cloths included in the new<sup>2</sup> licences. The King, acknowledging his rights, agreed that the new licences should be changed so as to conform with them. Van Lore<sup>3</sup> was, therefore, given authority to transport 15,000 cloths over a period of ten years without paying custom on them, but for every cloth transported by him a defalcation of 2/2d was allowed to the Earl out of the rent he paid to the King. A similar change was made in Hay and Herbert's grant, but in order that they should benefit to the extent intended by the King their licence was raised to 17,500 cloths, the whole to be transported in the space of seven years.<sup>3</sup> The result of the Earl's protest was that the licences were completely altered in character. They now took the form of a grant of money paid

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1. S.P. 38/7, (15th January 1603/4, 27th April 1604).
  2. S.P. 14/6/104.
  3. S.P. 38/7, (27th April 1604). They sold the concession to a syndicate in May 1604. For details see R.H. Tawney, Business and Politics under James I, (Cambridge, 1958), 89.

out of the Crown's profit from the licence. The Earl's own profit, therefore, was not diminished. Furthermore, his successful assertion of his rights restricted future demands for cloth licences to types of cloth not covered by his patent or to payments out of Crown receipts from the custom on cloths<sup>1</sup> exported.

In the following year, the Earl had a greater triumph. On the 18th May 1605, the licence was re-granted to him in exactly the same form for a term of 21 years.<sup>2</sup> How and why he obtained the new lease is not known, except that it coincided with the confirmation of the Merchants' own licence.<sup>3</sup> If the Earl pleaded the troubled tenure of his licence in the preceding years, then he could be satisfied that his difficulties had been amply rewarded. If he was anxious at the state of his debts and his own ill-health, and recognised his brother's hopes of a re-grant as slender compared with his own, then in obtaining the new licence he was performing the greatest financial service he could for his successor.

The new lease was not merely an assurance to the Earl that his debts could be paid. It was for the monopoly interests the Merchants and himself, a notable tactical victory over the

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1. Cf. H.M.C. Salisbury MS. xvii, 92, 618; and S.P. 14/11/24.
  2. Appleby MS. D/1/3.
  3. Friis, op.cit. 74.

opponents of their patents within as well as outside the lower house. In 1605, the Earl's first licence had six years to run. By 1611, therefore, the 4th Earl and the Merchants would have been faced with a recurrence of the conflicts that normally preceded the granting of a new lease. On this occasion there would have been particularly adverse circumstances because of prevailing hostility towards the export monopoly in cloth.

The extension of the Earl's lease meant, further, that instead of being able to attack the patentees at the time of their greatest weakness, the opposition would now have to devise its own occasion for interference by positive action. To alter the status quo would require a concerted attack on the principles and practices that long usage upheld and traditionally minded bodies, such as the Privy Council, would not readily abandon. Finally, if the extension encouraged nothing less than a wholesale assault on the status of the Merchants by those other groups with interests in the cloth trade, it also ensured that the reaction, in case of failure, would tend to favour a return to the traditional practice rather than a compromise which the situation may have invited if the Cliffords' lease had ended in 1611.

It is probable that if the 3rd Earl's lease had not been renewed in 1605 the situation in 1611 would have been both complex and confused and for the Merchants virtually a repetition of the situation in 1601 when opposition to their monopoly in England coincided with a disturbance in their continental

organisation.<sup>1</sup> The migration of the company's staple from Stade to Hamburg was slow and it unsettled trading activities.<sup>2</sup> In the early summer, trade was still at a low level and so were the 4th Earl's profits. John Taylor complained on June 12th that he had hoped recent shipments would be large, but the contrary was the case. The receipts from them had come to only £880, out of which he had paid £500 immediately for the half year's rent of the licence.<sup>3</sup>

Exports were again severely restricted in the following winter when trade to Hamburg was almost suspended for a period of four months. The Earl, nevertheless, managed to turn these conditions to his advantage. In January 1612, Salisbury was trying to induce the Merchants to accept proposals put to them by Cumberland.<sup>4</sup> It can be presumed that these concerned the licence fee, for in 1612 the rate of 2/2d per cloth was raised to 2/8d. It is possible that the 1602 agreement with the Merchants over the price they should pay the 3rd Earl had been intended to last for the ten years' term of the first licence, but in the absence of Privy Council Registers neither the exact date nor the reasons for the change can be ascertained.<sup>5</sup> The rate had been increased by November 1612 and the most

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1. See supra, p. 249.
  2. Friis, op.cit. 111.
  3. Whitaker, 362.
  4. Cal.S.P. Dom., James I, 1603-1625, Lxxiii, 15.
  5. Bolton MS. Bk. 104, f.1a.

likely cause was a new agreement negotiated by the Earl after trade had been fully resumed with the Merchants' government now<sup>1</sup> settled at Hamburg.

The long-foreseen assault on the Merchants' monopoly of the trade in undressed cloths was begun in 1612 by the clothworkers and the Eastland Merchants who resented their exclusion from the prosperous trading of the previous decade.<sup>2</sup> The death of the Earl of Salisbury in May 1612 gave Alderman Cockayne the chance to put to the King his scheme for dyeing and dressing all cloths before export.<sup>3</sup> Both the clothworkers and the Eastlanders were optimistic of their ability to implement the project and thereby improve the manufacture and wealth of the country.<sup>4</sup> The scheme attracted the support of the anti-monopolists such as Sir Edward Coke but most Privy Councillors were against it or doubtful of its prospects. The Commons,<sup>5</sup> when they met in 1614, were divided on the issue.

The 4th Earl's main concern as an interested party was in the preservation of the profit from his licence. The clothworkers recognised his interest but answered the objection that the restraint in export of undressed cloth would be "very prejudicial" to him by claiming confidently that out of the

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1. Friis, *op.cit.* 111.

2. *Ibid.* 230 *et seq.*

3. *Ibid.* 239.

4. E.g. Sir Walter Cope's arguments in S.P. 14/71/89.

5. Friis, *op.cit.* 241 *et seq.*

great profit the King would receive from the project he could easily afford to give a pension "which at least may equall the present profit and be receaved with more ease and less trouble".<sup>1</sup>

Though no doubt relieved to have an assurance from the projectors of the scheme that they had<sup>3</sup> no wish to harm his interests, the Earl's representatives were well aware of the dangers inherent in the ambiguity of his position. John Taylor reported to the Earl on the 18th January 1614:

I had Need Looke about me Wysely, for our Case is Like his that houlds the Wolfe by the Eares; The Merchantes were growen Jelyous of us before I came as supposing we had given way to thother syde, but I have given them satisfacon and have undertaken to learn something which they desier to know. we are in daunger of a blowe on either syde, yet it may please god to deliver us. their is much division and contrariety of opinions about the Busines, and it is Like to breed much discontent. The King is still violent to procede, and we expect a Proclamation daly to that purpose.<sup>2</sup>

The proclamation was made on the 23rd July 1614. It revoked all special licences for the export of undressed cloths but gave liberty to the Merchants to export until November 2nd when the new company of King's Merchant Adventurers would take over.<sup>3</sup> The trade crisis which followed the cessation of the old company's activities forced the King to temporize in order to prevent an even greater deterioration in trading conditions.

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1. S.P. 14/72/69.

2. Althorp, Cumberland Papers, 18th January 1613/4.

3. Friis, op.cit. 267.



In June 1615, the King's Merchants agreed on the proportion of dressed cloths, 36,000 in all, that they would export in the next three years but at the same time they were granted a licence to export 30,000 undressed cloths similar to that the old company had held and were allowed to export an unlimited number under the Earl's licence, paying to him the usual rate<sup>1</sup> of 2/8d a cloth.

Thus the old system was re-created in new guise in the hope of an improvement in the state of trade. Yet, for the Earl there was a vital difference. The aim of the new company was to increase the export of finished cloths and this implied a progressive falling-off in the export of undressed cloths and a corresponding decrease in the profits the Earl could expect from his licence. For this reason the King gave order to Lord Treasurer Suffolk on the 21st July that since he wished the profit of Cumberland's licence to continue "according to the true intent and meaning" of his grant in 1605, the "medium" or yearly average of the exports under the Earl's licence in the ten years prior to November 3rd 1614 should be calculated and if exports on his licence fell below that figure he should be given compensation "by way of defalcacion, or by anie other suche<sup>2</sup> good way and meanes of recompence".

This warrant guaranteed the Earl the average annual profit

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1. Ibid. 276-80.
  2. S.P. 39/5/48.

of his licence over the previous ten years. It took effect from the 3rd November 1614, the day the King's Merchants became responsible for the export of cloths. The compensation eventually covered the three successive years up to November 2nd 1617.<sup>1</sup> In consequence, there was, despite the delay before the grant of the warrant, no interruption in the Earl's receipts during the period of the Cockayne experiment. This in itself was an important concession to his claims for special consideration. It had a second implication. In 1615, as earlier in 1612,<sup>2</sup> it was pointed out to the King that by taking the Earl's licence into his own hands he could increase his revenue by £3,000 a year.<sup>3</sup> The warrant was assurance that this would not happen. If further proof of James' good faith were needed, his attitude in the following year was to be conclusive.

The failure of the Cockayne experiment was apparent in January 1616. It was continued at the King's instance, against the advice of the Council, throughout that year.<sup>4</sup> At the end of the summer, however, negotiations began for the restitution of the old company of Merchant Adventurers. The Merchants were now eager not merely to regain their former position of prestige and privilege, but to exclude all possible rivals.

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1. Bolton MS. Bk. 106, f. 5a. For further explanation, see Appendix II.
  2. B.M. Cotton Cleopatra F. vi, f. 108b.
  3. S.P. 14/84/52, quoted in F.C. Dietz, English Public Finance 1558-1641, (1932), 161 n.30.
  4. Friis, op.cit. 302-3.

They demanded as one of their terms of reinstatement that Cumberland's licence be discontinued. The King and Council rejected this on the grounds that it was unreasonable, for the King would have to provide elsewhere for the £4,000 to which it<sup>1</sup> amounted.

When the Merchants were restored on the 1st January 1617, they had not conceded a single point in the terms they had<sup>2</sup> offered. In the following summer, after shipments had begun, they still hoped that the King could be persuaded to revoke the Earl's licence. They argued that because of "the distracon of those two years [of the Cockayne experiment] the Company found that their owne Lycence would ship of all the white Cloth which at that tyme could either be made or vented" and there was thus no need for any licence but their own. The Earl's response to this apparently was to threaten to repeat his brother's action<sup>3</sup> in 1601 of throwing open trade on his licence.

This question and the more important matter which formed the Merchants' second demand were put to the Council for their determination. The Merchants wanted to end the limitation on the price of cloths they exported on their free licence.

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1. Ibid. 353-4.
  2. Friis, op.cit. 356.
  3. S.P. 16/429/87.

The Earl's representatives, Lord Clifford and John Taylor, claimed that this might harm the Earl's interests and, because of the £1,000 rent to the Crown, the King's also. But, they added, if the increase in the price of cloths were to benefit the Earl to the extent that more cloths might be passed on his licence than formerly then there was no reason why he should not take advantage of that benefit.<sup>1</sup>

After hearings before a committee of the Council and full debate of the whole matter by the Council, both parties consented to an agreement.<sup>2</sup> A settlement on the lines of that finally accepted had been suggested by Sir Francis Bacon as early as February 25th 1616.<sup>3</sup> He may well have inspired the compromise on this occasion. The agreement gave the Merchants liberty to export 30,000 cloths a year without limitation of price. For each cloth they exported on their own licence, however, they were to export another on the Earl's, paying him the usual duty of 2/8d a cloth, until a limit of 60,000 cloths had been reached. All cloths exported above that figure were to pass on the Earl's licence only.<sup>4</sup>

The settlement satisfied the Merchants' demands on two vital points. In the first place, it reaffirmed their monopoly of the export of undressed cloths. This meant a restoration

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1. A.P.C. 1616-7, 361.

2. S.P. 16/429/87.

3. J. Spedding, (Ed.), The Letters and the Life of Francis Bacon (1869), v, 258-9.

4. Friis, op.cit. 375-6.

of the old system with the Merchants' position strengthened by the failure of its opponents' alternative scheme. The settlement also gave them the right to export in future at the current market value: a notable gain in view of the problems, and evasions of the law, caused by the restrictions on prices in their previous grant.<sup>1</sup>

In exchange for these rights, the Merchants had made a valuable concession to the Earl, one which followed logically from their own argument of the decay in cloth exports and the Earl's apprehension of trading prospects. Cumberland's equal share in the exports up to the limit of 60,000 cloths meant that he could expect some profit from his licence even in years when exports were small. Under the previous system, when the Merchant had utilised their own licence completely before exporting on the Earl's, a poor year might have given him no profit at all. The great value to the Earl in terms of profit of this concession will be described later.<sup>2</sup>

The optimism that with the restoration of the old company prosperous trading conditions would return was not borne out by experience in the years after 1618. In the spring session of the 1621 Parliament, Sir Edwin Sandys lamented that "all the Grievances of the Kingdom are Trifles in comparison with the Decay in Trade".<sup>3</sup> The trade crisis was the signal for a

1. Cal. S.P. Dom. Add., 1547-65, xi, 112.
2. In section 11.
3. Friis, op.cit. preface.

renewal of the Commons' agitation against the Merchants' monopoly on the grounds that it contributed to the decrease in cloth exports which, it was now recognised, was the principal factor in the trade depression.<sup>1</sup> The commission appointed by the Privy Council on April 23rd 1622 to report on the decay in trading cautiously referred to Cumberland's licence and pretermitted customs as two burdens that amounted to a great obstacle to trade.<sup>2</sup> But the terms of reference to the Standing Committee set up later in the year did not include these dues<sup>3</sup> and when membership of the Merchant Adventurers was thrown open in 1624 it was left to the Privy Council to consider if any action<sup>4</sup> should be taken about them.

The last years of the 4th Earl's tenure of the cloth licence were marked by a fall in the profit of the licence owing to the trade depression and his own financial difficulties. For him, 1622 was a decisive year. On July 10th, Lord Clifford wrote from <sup>1</sup>Londesborough to the Marquis of Buckingham that he had heard a report that the reversion of the licence had been promised to another. He wished to know in what he had offended.<sup>5</sup>

Buckingham had, indeed, promised the reversion of the licence; to Ludovick, 2nd Duke of Lennox. It was granted to

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1. Friis, op.cit. 404.
  2. Ibid. 419.
  3. Ibid. 425.
  4. Ibid. 430.
  5. H.M.C. Second Report, App., 59.

Lennox on the 8th August 1622,<sup>1</sup> four years before Cumberland's tenure was due to end. The Duke held the office of alnager and collector of the subsidy on woollen cloths on a 21 years' lease granted in October, 1604.<sup>2</sup> The cloth licence was thus intended to replace his present office within a year of the end of its lease. However, Lennox died before that time and in May 1625, when Cumberland's tenure ceased, the cloth licence passed to his widow, the Duchess of Richmond and Lennox.

Proximity to the King's ear was the vital factor controlling the distribution of offices. There was little chance that the 4th Earl would retain the reversion of the cloth licence with Buckingham as favourite and Lennox, a kinsman of James I, as suitor. There was neither a Salisbury nor a Wentworth to secure him favours. Nor was his own career remarkable for anything but his private struggle with his financial burdens. Yet no matter how great their needs, the Cliffords could hardly have expected to retain the licence after an unprecedented tenure of twenty-five years. Nor had they any cause to complain of unfair treatment during their

1. P.R.O. Index, Pat. Rolls, 20 Jac I, pt.14.
2. H.M.C. Salisbury MSS., xvi, 334.

tenure for of all the parties concerned their interests had suffered least in the disruption of the Cockayne project.

The 4th Earl's interest in the cloth licence as a source of profit did not cease in 1626 with the termination of the lease. He had received compensation from the Crown for his losses owing to the Cockayne project in 1615, 1616 and 1617.<sup>1</sup> The payment of compensation ended on November 2nd 1617 not because the purpose of the warrant had been fulfilled but because it was proving a drain on the Exchequer.<sup>2</sup>

In 1627, the 4th Earl raised the question of re-imbusement for the years after 1617, since the warrant was still in force. Charles I acknowledged that restitution was "due to him in equity by the intencon of the late Kinge James". The Lord Treasurer and the Chancellor of the Exchequer certified that the sum to which the Earl was entitled was £12,406. The King, nevertheless, decided to allow the Earl only half this figure.<sup>3</sup> The reasons were not given but perhaps it was a recognition that the Cockayne project was not the sole cause of the decline in cloth exports and that the Earl had already benefited to some extent as a result of the 1617 agreement.

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1. See Appendix II.
  2. Bolton MS. Bk.107, f.5b.
  3. P.R.O. Index 6807, Signet Office Docquets, July 1627.



Charles specified the manner in which the sum was to be paid. Of the £6,203 allowed to the Earl, £2,447.3.8 were retained by the Crown in discharge of the debts he owed for arrears of rents and subsidies. A warrant was issued to pay him the remaining £3,755.<sup>1</sup> The Crown, however, was as ready to default on its obligations as Cumberland: ten years passed before the Earl received the money. That it was paid at all was due to the personal representation of his son-in-law, Viscount Wentworth, Lord Deputy of Ireland.

Wentworth asked the King as a special favour to allow the debt to be paid directly to Cumberland out of the surplus that he had contrived in the Exchequer at Dublin, so as to rid the Crown of the obligation in a way which would not burden the Exchequer in London.<sup>2</sup> The King granted Wentworth authority<sup>3</sup> to do this. The money was paid to Cumberland between December 1638 and February 1639; £3,755.16.3<sup>1</sup>/<sub>2</sub> with an additional £144.3.8<sup>1</sup>/<sub>2</sub> allowed as "forbearance" on account of the delay in making the payment from Ireland.<sup>4</sup> In offering his own thanks to the King for the grant, Wentworth pledged that he would clearly indicate to the Earl and Lord Clifford the King's generosity to them so that they "may entirely answer unto your commands the chearful duties they owe for soe extraordinary a favour".<sup>5</sup>

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1. P.R.O. Index 6807, Signet Office Docquets, July 1627.
  2. Thomas Carte, The Life of James Duke of Ormond, (2nd Edn., Oxford, 1851), v, 227-9.
  3. Bolton MS. Sundry Letter, 100.
  4. Bolton MS. Bk. 125, f.1.
  5. Carte, loc.cit.

### ii. The Income from the Licence

The 3rd Earl's cloth licence differed radically from his predecessors' in that trading conditions directly effected his profits. Previous licencees, Leicester, Walsingham and Stafford for example, with grants to export a specific number of cloths, had immediately sold their licences to the Merchants for a lump sum based upon an agreed price per cloth. The Merchants had raised the money on loans.<sup>1</sup> The 3rd Earl, in contrast, had the right to export an unlimited quantity of cloths yearly for a specified term of years. His receipts, therefore, depended upon the number of cloths the Merchants exported on his licence every year for which they paid him a set rate per cloth. His net profit, for him a more significant figure, depended upon the extent to which exports yearly exceeded a total comprising the 30,000 of the Merchants' licence and the 10-12,000 more required to pay his rent of £1,000 and the costs of administration. If his profits were to be high, prosperity was essential.

The 3rd and 4th Earls were fortunate in that the years 1602 to 1614 were mainly prosperous. There were two years only in which exports were comparatively low; in 1607, when

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1. See S.P. 14/72/70; B.M. Lansd. 62 f.48.

a temporary recession affected trading activities,<sup>1</sup> and in 1611-12, when there was dislocation of the market owing to political troubles.<sup>2</sup> In 1606 and 1614, two years for which the Port Books have survived, 76,124 and 71,539 undressed cloths respectively were exported.<sup>3</sup> Even if exports in these years were above the normal, the general level would appear to have been appreciably higher than in the previous decade, judging by the figures of 60,300 cloths in 1596<sup>4</sup> and 56,000<sup>5</sup> in 1598.

The prosperity before 1614 influenced the 4th Earl's profits in a second way. It gave him a high rate for the compensation granted during the Cockayne experiment. It may also have induced the Merchants to accept the increase in the price they paid the Earl in 1612 from 2/2d to 2<sup>6</sup>/8d, if not directly, on the grounds of his right to a greater share in the high profits, then in a more subtle manner, by mitigating their customary resistance to making concessions.

The full details of the receipts from the licence and the costs of administration are to be found in John Taylor's accounts. These cover the period 1613 to 1626 except for

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1. Godfrey Davies, The Early Stuarts, 1603-1660 (Oxford, 1937), 327.
  2. See supra, pp.262-3.
  3. Friis, op.cit. 129.
  4. S.P. 12/264/144.
  5. S.P. 12/261/47.
  6. See supra, p. 263.

four years - 1614, 1616, 1617 and 1625. The receipts, costs and net profits in the ten years known are set out in Table E. The recurring items in the costs were the rent paid to the Crown and administrative costs which in most years were in the region of £350. These included wages paid to the Earl's three principal officers at the Custom house, £40 to William Cooke, his clerk and deputy, and £30 each to Anthony Storie and Raulf Bankes. The rent of the office was £5 a year.<sup>1</sup> In some years there were charges for seizures of cloths in ships attempting to evade payment of the Earl's licence fee and the costs of prosecuting the cases.<sup>2</sup>

The profits of the licence are certain for the years for which John Taylor's accounts have survived; but these are only ten of the twenty-five years in which the Cliffords held the licence. Fortunately, John Taylor's account for 1615 is extant and coincides with the first year of the Cockayne experiment. Since the amounts allowed to the Earl as compensation in 1615, 1616 and 1617 are also known, it is possible to calculate both the "medium" figure on which compensation was based<sup>3</sup> and the Earl's actual receipts in 1616 and 1617, two years for which there are no accounts. In

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1. Londesborough MS. M/5.
  2. Bolton MSS. Bks. 104, f.5, 109, f.9.
  3. See supra, p. 266.

TABLE E

The 4th Earl's Receipts from the Cloth Licence, 1613 - 1626.<sup>a</sup>

<u>Year</u>	<u>Receipts</u>	<u>Costs</u>	<u>Net Income</u>
<u>1613</u>	£4,946.16.8 <sup>b</sup>	£1,364. 9.11	£3,582. 6. 9
<u>1614</u>			
<u>1615</u>	3,074. 1.4	1,342.12.10	1,731. 8. 6
<u>1616</u>			
<u>1617</u>			
<u>1618</u>	3,389.11.4	397. 3. 3 <sup>c</sup>	2,992. 8. 1
<u>1619</u>	2,892. 4.8 <sup>d</sup>	1,329. 6. 2	1,562.18. 6
<u>1620</u>	3,150. 9.4	1,337. 6. 0	1,813. 3. 4
<u>1621</u>	2,089. 6.8 <sup>e</sup>	1,382.15. 1	706.11. 7
<u>1622</u>	2,537. 2.0	1,281. 8. 9	1,255.13. 3
<u>1623</u>	3,713.10.8 <sup>f</sup>	1,907. 5. 4 <sup>g</sup>	1,806. 5. 4
<u>1624</u>	3,966. 3.4	1,343. 5. 7	2,622.17. 9
<u>1625</u>			
<u>1626</u>	760. 9.4 <sup>h</sup>	.148. 3.11 <sup>i</sup>	612. 5. 5

- Notes:
- The sources are Bolton MSS. Books 104 to 113.
  - This figure does not include £218 received as composition for cloths seized, (Bk.104, f.1b.)
  - The rent of £1,000 was released in this year, (Bk.107, f.2a).
  - This sum includes £600 received from the Exchequer as compensation for 1616 & £46.14.0 for 1617, (Bk.107, f.2a).
  - Receipts for 10 months. They do not include £140 received in 1621 as composition for cloths seized in 1619, (Bk.109, f.3).
  - Receipts for a period of 1½ years, (Bk.111, f.2a).
  - Expenses for 1½ years, (Bk.111, f.5a).
  - Receipts for 6 months only, (Bk.113, f.1b).
  - The half-years' rent due Lady Day 1626 was released, (Bk.113, f.4b).

addition, it is possible to estimate the receipts in the decade prior to 1614 and in the other year for which the account is missing, 1625. These calculations can be found in Appendix II. The full figures of both the known and estimated receipts, costs and net income from the licence during the whole of the 4th Earl's tenure are incorporated in Table F.<sup>1</sup>

The changes in the 4th Earl's annual income will be evident from Table F. Except for 1615, his profit remained at a constantly high level until 1618. The fall in the level of receipts and the yearly fluctuations after 1618 indicate both the effect on the Earl's profit of the trade depression and the uncertainty as to the size of the profit that could be anticipated from year to year.

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1. For the figures of annual exports of undressed cloths derived from the receipts see Table L. The method of calculation is explained in Appendix II.

TABLE FThe 4th Earl's Receipts from the Cloth Licence, 1606-1626.

<u>Year</u>	<u>Receipts</u>	<u>Costs</u>	<u>Net Income</u>
1606	£4,996.15. 4 <sup>a</sup>	£1,350. 0. 0 <sup>b</sup>	£3,646.15. 4
1607)			
1608)			
1609)	3,256. 8.11 <sup>c</sup>	1,350. 0. 0 <sup>b</sup>	1,906. 8.11
1610)			
1611)			
1612)			
1613	4,946.16. 8	1,364. 9.11	3,582. 6. 9
1614	5,538.10. 8 <sup>d</sup>	1,350. 0. 0 <sup>b</sup>	4,188.10. 8
1615	3,074. 1. 4	1,342.12.10	1,731. 8. 6
1616	3,264. 1. 4 <sup>e</sup>	350. 0. 0 <sup>f</sup>	2,914. 1. 4
1617	3,422. 7. 4 <sup>c</sup>	350. 0. 0	3,072. 7. 4
1618	3,389.11. 4	397. 3. 3	2,992. 8. 1
1619	2,892. 4. 8	1,329. 6. 2	1,562.18. 6
1620	3,150. 9. 4	1,337. 6. 0	1,813. 3. 4
1621	2,089. 6. 8	1,382.15. 1	706.11. 7
1622	2,537. 2. 0	1,281. 8. 9	1,255.13. 3
1623	3,713.10. 8	1,907. 5. 4	1,806. 5. 4
1624	3,966. 3. 4	1,343. 5. 7	2,622.17. 9
1625	3,728.18. 0 <sup>c</sup>	1,350. 0. 0 <sup>b</sup>	2,378.18. 0
1626	760. 9. 4	148. 3.11	612. 5. 5

Notes

- a. 46,124 cloths were exported on the Earl's licence at 2/2d per cloth, (Friis, op.cit. 61).
- b. An average figure for charges - £1,000 rent plus £350 costs of administration. See supra P. 277.
- c. This is an average figure for the years 1607 to 1612. For the calculation of the figure see Appendix II.
- d. 41,539 cloths were exported on the Earl's licence at 2/8d per cloth, (Friis, op.cit. 129).
- e. This figure includes £2,869.1.4. actual receipts from cloth exports (for the calculation see Appendix II) and £395 received from the Exchequer as compensation granted for 1615, (B.M. Lansd. 169, f. 143a.)
- f. The rent due for 1616, 1617 and 1618 was released, (Bolton MS. Bk. 107, f.2a).

Despite the lower value of the licence in the later years, the 3rd Earl's grants proved to be the great financial benefit which he had hoped and of far greater value than earlier licences. This is evident if the profits from the licence are compared with the 4th Earl's estate income during the years in which he held the licence. His average annual profit from the licence was equal to three-quarters of the normal net income from his estates until 1617. In subsequent years, the annual profit fell to an average of only £1,700, but even then it was equal to 40% of the net income from the estates and at a time<sup>1</sup> when that income was at its highest.

Although the Crown later re-imbursed him in some form for half his supposed losses after 1617, the fall in profit was a contributory cause of the 4th Earl's special financial difficulties during the last years of his tenure of the licence.<sup>2</sup> It was, however, fortunate for the Earl that the agreement with the Merchants in 1617 had given him an equal share of the cloth exports under their joint licences. With the earlier arrangement, his profit in 1620 would have been marginal and in 1619 and 1622 he would have received no profit at all. The state of his finances would in all probability have forced him to seek some change in the arrangement as early as 1620. By then, the pessimistic views of trading prospects might well have altered

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1. See supra, Chapter VII, pp. 212-3 and Table F.
  2. See infra, Chapter X.



the Merchants' willingness to compromise.

### iii. Conclusion

The 3rd Earl's patent in 1601 changed the character of the imposition which the Merchants had to pay for the privilege of exporting cloths on the additional licences. Previously, as already stated, they had paid the patentee a lump sum on the basis of an agreed price per cloth and raised the money on loans. As a result of Cumberland's patent, this "subsidy or tribute" as the Merchants regarded it,<sup>1</sup> was replaced by a permanent, annual<sup>2</sup> levy on cloth exports. £1,000 of the receipts from the levy were paid to the Crown as rent and included in the petty farm<sup>3</sup> of the customs.

The source of the Merchant's bitter opposition to the 3rd Earl's licence in 1601, however, was less that it continued a financial exaction they were keen to escape than the consequences for them of the change in form and length of tenure from previous licences. Whereas they had been able to purchase outright all earlier licences, control of the additional licence was now taken out of their hands and vested in Cumberland's - and for ten years. Moreover, Cumberland had been given a monopoly of the additional licences and, unlike previous patentees, he successfully asserted it in 1604.

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1. S.P. 15/25/26.
  2. Dietz, op.cit. 89-90.
  3. H.M.C. Fourth Report, App., 311.

The Crown's interference hitherto had been limited to forcing this wealthiest of Tudor commercial organisations to share its profits with Crown nominees and it had, furthermore, benefited the Merchants by legalising and allowing them to control the whole of the trade. Now the interference was extended by giving the Earl control of at least half the exports in a way which amounted to a delegation of Crown authority and could be regarded as a precedent for permanent control. This change would make it even more difficult for the Merchants to achieve their ambition of getting control of the licences in the same way as they already controlled membership of their company.

Yet the advantage of the arrangement in view of the protection it gave, which became apparent during the Commons' attack on monopolies in the next three years, probably led the Merchants to approve the extension of the 3rd Earl's lease for a further 21 years in 1605, though only because the alternative was a possible loss of their monopoly. The desire to gain full control of the export trade remained as strong as ever and the chance to make another bid for control came in 1617 after their restoration at the end of the Cockayne project. Once more they failed. When the next opportunity arose the Merchants were once again on the defensive, hit by the trade depression and under sustained attack in the Commons. They do not appear to have opposed the grant of the licence to

Lennox in 1622; in the circumstances it would be surprising if they had.

With the changes in the nature of the imposition and in the control of the additional licence, the position of the licence-holder was also modified. In effect, for the Cliffords, as farmers of the levy on cloth exports, a new office had been created<sup>1</sup> - and a profitable office, for they retained two-thirds of the levy in their own pockets. This change was not only in keeping with Crown policy towards matters within the royal prerogative but with the attitude, popular amongst the nobility in particular, that commercial activities were a legitimate field for exploitation for personal profit.

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1. The term 'office' was used in the re-grant in 1605 (Appleby MS. D/1/3).

CHAPTER XTHE FINANCIAL PROBLEMS OF THE 4TH AND 5TH EARLS

The 4th Earl inherited from his brother not only the Earldom and estates but also the liabilities connected with them of which the greatest were the financial problems. The anxiety and strain of the 3rd Earl's last years passed to the 4th Earl in full measure in 1605. By 1620 he had delegated to his son, Henry Lord Clifford, the active direction of his affairs, but the problems remained with him until his death.

The main elements in the Earl's financial problems were his indebtedness and his failure to balance his household finances. Of the two, the indebtedness was paramount. Throughout his life, the burden of large debts was everpresent. It was the continuous pressure of indebtedness which gave to his other problems, important as they were, an urgency greater than they already merited.

The debts were of complex origin. A distinction can be made between the large London debts and the recent debts contracted in the country and in London. The large London debts consisted of the long-term debts inherited from the 3rd Earl and similar debts incurred by the 4th Earl. The payment

of these debts, the recent London debts and the interest on them<sup>1</sup> was the responsibility of John Tayler.

The debts recently contracted in London and the country were current debts whose size was fairly constant from year to year and which normally would be paid within the accounting year. But because of the Cliffords' financial difficulties, they were often not paid and then they mounted up and became an important factor in the indebtedness until an effort was made to reduce them.

This and the following chapter will be concerned with the nature and extent of the Cliffords' financial difficulties after 1605 and the effect on the Clifford fortunes and estates of the debts and the measures taken to decrease them.

### 1. 1605 - 1617

Although the 4th Earl was pre-occupied until 1611 with northern political affairs,<sup>2</sup> there was some progress in the years prior to 1613 towards overcoming the problem of indebtedness. In this period receipts from fines in Craven were high and most of the money was sent to John Taylor in London.<sup>3</sup> After paying £500 for the grant of Skipton in 1607, the costs<sup>4</sup> of the inheritance suit and his own expenses, Taylor would

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1. E.g. Bolton MS. Bk. 104, f. 4b et seq.  
 2. S.P. 14/63/43, 69.  
 3. See supra, p. 186.  
 4. P.R.O. Salisbury MS. 122/123.

have substantial amounts available to pay the London debts. In addition, the profits of the cloth licence, which had been appointed for the payment of the London debts, would have provided £18,000<sup>1</sup> between 1605 and 1613 towards the reduction of the debt.

Furthermore, not all the task was left to John Taylor. Some of the debts were paid direct from Skipton by Stephen Taylor: in 1609, the first £500 of the £1,000 loaned to the 3rd Earl on a statute by the Countess of Shrewsbury which her son, Lord William Cavendish, recovered with the costs of the suit,<sup>2</sup> and in 1612, £611.1.10 to Robert Bindlose for the redemption of Flasby.<sup>3</sup> The 3rd Earl's intimate friendship with Robert Cecil turned to the 4th Earl's pecuniary advantage in 1610, when Salisbury paid £6,000 for the dowry of his daughter Frances on her marriage with Henry Lord Clifford. By mutual agreement, the money was used to pay the interest and all but £1,000 of the principal owed for Bolton Priory which had been mortgaged since 1596.<sup>4</sup> The rents of Bolton were then assigned by the Earl to supplement Lord Clifford's income from land to

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1. See supra, Table F.
  2. Bolton MS. Bk. 228, f. 261a. For the statute, see Table A.
  3. Bolton MS. Sundry Paper, I. 15, f. 5a.
  4. See supra, p. 62.

the total of £600 which Salisbury had requested Cumberland to allow him.<sup>1</sup> In addition, the 4th Earl twice before 1613 secured release from debts to the Crown. In 1607, his brother's royal debts were cancelled with the exception of £965 owed for subsidies,<sup>2</sup> and in 1611 the 4th Earl's own arrears of rent for the Border lands were similarly discharged.<sup>3</sup>

This evidence suggests that an improvement in the 4th Earl's financial position had taken place by 1613. It was only to be expected, for besides the regular profit from the cloth licence the receipts from Craven were at their highest in these years. Yet, relative to the needs the progress must have appeared little enough. It was John Taylor's unenviable task to keep the London creditors at bay. In 1611, he visited Lord Clifford who was at the time making a grand tour of France, partly at Salisbury's expense,<sup>4</sup> to report to him on the state of the finances. On his return Taylor wrote to Clifford complaining that £330 from the cloth licence was all he had received to pay debts, interest and his expenses in London. "Not one penny", he wrote,

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1. Bolton MS. Bk. 256.
  2. P.R.O. Index 6802, Signet Office, Docquets, February 1607.
  3. P.R.O. Index 6803, Signet Office, Docquets, March 1609/10.
  4. S.P. 14/63/5; Skipton MS. A/36/6.

comes from the country . . . . No order or care taken wheare I should have meanes to furnish your allowance, nor any mention thereof. God is my Judge, I do all I can for my lief to keep things in some order till your retorne. I have too far stretched my creditt, whereof litle or no regard is had. I shall acquaint my lord treasurer herewith, so far as may be fitt, for prevention sake, in modest termes. I had a fine lief whilst I was with your lordship in France; but I am now baited like a beare.<sup>1</sup>

In the following year, Cumberland himself declared how disturbed he was at the state of his fortunes. He sought Salisbury's advice on how best to free and advance his estate.<sup>2</sup> Lord Clifford, too, expressed his concern about "the painge of the debtes and settlinge of that estate which hath bin therewith shaken these many yeeres and yet is not underproped or repaired."<sup>3</sup>

The Cliffords had good cause for anxiety. At midsummer 1613, £18,000 of the 3rd Earl's debts were still owed and of these £5,000 were at usury. The interest paid annually on those debts alone would be £500. At this point, William 2nd Earl of Salisbury suggested that in order to pay off the debts the 4th Earl should sell his cloth licence. John Dackombe, Salisbury's servant, who investigated the matter with John Taylor, advised against this. He argued that the better course would be to retain the licence and use the profits from it, as at present, to pay the debts. He drew up a schedule to show

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1. Whitaker, 362.
  2. S.P. 14/63/67.
  3. S.P. 14/63/69.



that the £3,000 a year from the licence would pay the £5,000 at usury, allowing for the accumulating interest, by midsummer 1615 and the remaining £13,000, which the creditors were willing to forbear for five years, soon after midsummer 1619. In all, six years and ten weeks would suffice to clear the whole debt. The cloth licence would then still be in the Earl's possession with the benefit of several years' profits yet to come. If the licence were sold, he thought, it would "not yelde soe muche or at least no more".<sup>1</sup>

Dackombe's advice, supported as it was by John Taylor's opinion, might well have appeared the wiser course in 1613. His schedule of repayment, however, could not be kept to. The reasons why make it doubtful if, without a rigorous retrenchment, any real easing of the strain on the finances was possible. Besides the debts themselves, other factors and in particular the Earl's excessive household expenditure contributed to the financial strain. The difficulties inherent in the Earl's position will be better appreciated if these factors are considered.

Even when the debts are discounted, Cumberland's financial position was fundamentally insecure because his ordinary expenditure exceeded his normal income from the estates. In 1615, a year for which the total costs are known, the household expenditure came to £5,958.7.3. The expenses of the various

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1. Londesborough MS. D/1.

households totalled £4,390.9.5. This sum consisted of £694.19.6 for Skipton, £433.2.0½ for Londesborough, £905.10.6½ for Hazlewood, the Earl's mansion near Skipton where he preferred to reside, £579.8.9 for John Taylor's coterie of aides and servants in London, and £1,777.8.7 for the peripatetic group which accompanied Lord Clifford. In addition, the administration at Carlisle cost £347.15.6. Annuities accounted for a further £271.5.4, law charges £252.7.8, debts paid in the country £696.9.4 and the rents known to have been paid £740.4.4.<sup>1</sup>

The known receipts from the estates in 1615 were £5,227.5.11½.<sup>2</sup> There was thus a considerable gap between the Earl's estate income and household expenditure. Had the Earl not defaulted on the payment of his Border rents<sup>3</sup> and had the income not included higher fines than usual from the ordinary leasing,<sup>4</sup> the gap would have been greater. Even so,<sup>5</sup> nearly £600 had to be borrowed to help make up the deficit. It will be seen from these figures that the estate income was inadequate to meet the normal household charges and that there was no surplus with which to meet exceptional demands, least of all to contribute towards the payment of the London debts.

1. These details are from an analysis of the accounts for 1615 (Bolton MSS. Bks. 96, 105, 127), and a note of the year's expenditure drawn up by the auditor (Bolton MS. Sundry Paper, I. 24).
2. See supra, Chapter VII, pp. 212, 214.
3. Bolton MS. Bk. 105, f. 3a.
4. See supra, Chapter VII, p. 214.
5. See supra, p. 1.

Cumberland's failure to relate his ordinary living costs to the means at his disposal had consequences which John Taylor analysed with his customary directness of thought and speech. "God knowes how my Lord will pay this", he wrote, when Cumberland was requested in 1613 to contribute £200 as a 'loan' to the King. Failure to pay that sum and £60 for Lady Elizabeth's aid during the term would, he feared, "turn greatly to my Lordes dishonour". They might see by this, he added,

that yf a Man in his ordinary Charge Live allwaies at the height of his Meanes or above, he must Needes fall farr behyndhand when these extraordinary occations of charge happen, as they are Like to do still. Of this <sup>1</sup> so much hath been spoken already as more is Needles.

Though, as Taylor implied, the special demands were the occasion for rather than the cause of the accumulation of new debts, they were frequent and embarrassing. Cumberland was forced, also in 1613, to borrow the £1,000 he required to complete the redemption of Bolton.<sup>2</sup> Most of the last £1,000 for Lady Margaret's dowry to Sir Thomas Wentworth was borrowed, in 1615, but at York, not London.<sup>3</sup> Another occasion was at the Earl of Somerset's great wedding in 1614. John Taylor explained to Cumberland that when it was reported that the King had "declared him self plainly that he thought no Man did Love him, that did not shew his Love at this time to my Lord of

1. Althorp, Cumberland Papers, 21st May 1613.
2. Althorp, Cumberland Papers, Thomas Paradine to the 4th Earl, 24th May 1613.
3. Bolton MS. Bk. 95, f.3b.

Somerset<sup>1</sup>, John Dackombe and Mr Ashton took up £100 worth of plate in silver dishes and presented them in Cumberland's name. "They did it out of their Loves", he told the Earl; but he was worried that he could not repay the money.

Some of the loans taken up in these years became permanent debts; as in 1613, when Thomas Paradine combined the £1,000 he had lent for the redemption of Bolton with two bonds for £600 and £400, borrowed by Cumberland shortly before to pay his living expenses in London, to make a statute of £2,000 which the Earl and Lord Clifford jointly acknowledged.<sup>2</sup>

Borrowing, however, gave only temporary respite from the need eventually to produce the cash if not from current income, then from some other source. For the 4th Earl, this usually meant raising money from the estates. In 1612, Robert Bindlose paid him £1,600 for the grant in fee farm of the capital messuage of Cleatop in Settle.<sup>3</sup> In 1613, on John Taylor's inspiration, the tenants in Craven were persuaded to give to the Earl a 'benevolence' of two years' rents.<sup>4</sup> This or some similar device was essential at that time. The creditors in London were discontented, especially for the recent debts.

1. Althorp, Cumberland Papers, 18th January 1613/14.
2. Althorp, Cumberland Papers, 24th May 1613. For the statute, see supra, Table A.
3. Bolton MS. Bk. 104, f.1b.
4. Althorp, Cumberland Papers, Taylor to the 4th Earl, 27th January 1613/14; Londesborough MS. E/2.

"Here is and will be much bitterness and Clamour for money", Taylor told the Earl in February 1614. Parliament was expected to assemble in April and Taylor was anxious about the provision of the charges for the Earl's coming visit,

for by reason the moneys borrowed and thinges taken up for the last iorney bothe for your Lordship and my Lord Clifford have not been paid, they will exclaime, and give no further Creditt. <sup>1</sup>

It was to pay these "moste Needfull new debtes", Lord Clifford's as well as the Earl's, that the £2,000 received from the benevolence were appointed. <sup>2</sup> Two years later, in 1616, Cumberland raised £3,168 by granting long leases in Craven towards the £3,500 he needed to pay a debt to Wentworth and Thomas Paradine, <sup>3</sup> a debt which if not paid, John Taylor <sup>4</sup> thought, would dishonour the Earl in the world's opinion.

Although the 4th Earl managed periodically to reduce the new London debts, at no time were they cleared off and he was unable to prevent their continual accumulation. In August 1614, after the benevolence money had paid some of the recent debts, the remainder stood at £805.13.0. <sup>5</sup> In April 1616, they were slightly higher at £990.0.1 and there were also large new debts in the country; £1,283.1.6 at Skipton, £250.9.4. at York and £8.8.0 at Londesborough. The full total of the Earl's recent

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1. Althorp, Cumberland Papers, Taylor to the 4th Earl, 13th February, 1613/14.
  2. *Ibid.*, 27th January 1613/14.
  3. Bolton MSS. Bks. 265, 266, *passim*. The statute is included in Table A.
  4. Bolton MS. Sundry Letter, 105.
  5. Bolton MS. Sundry Paper, I. 18.

debts in 1616 was £2,540.18.11,<sup>1</sup> a sum equal to half a year's normal income from the estates.

Cumberland recognised the necessity of curtailing his household expenses. He told Lord Clifford in 1611 that he was considering all' possible ways of doing so.<sup>2</sup> But in this matter the Earl's actions constantly belied his intentions. The careful husbanding of his resources which the state of his finances demanded was never forthcoming. Furthermore, lack of direction from the Earl handicapped John Taylor, whose ability and integrity were recognised by all, in his management of the Earl's affairs. Taylor often spoke freely to the Earl of his ultimate responsibility. In a moment of frustration in November 1615 he wrote:

I must Needes say I fynde your Lordship and my Lord Clifford also, allwaies very willing to do well, but Alas yf their be a failing in the point of execution all ends in nothing. Your Lordship hathe Long intended, and Long spoken of some Reformation, but it is (God knowes) by one mean or other still deferred, and so the disease in your estate growes more dangerous, and harder Curable. What Care and paines have I not taken, or would yet take so farr as I were Able, to help putt thinges in order thereby to free and disburthen your Lordships thought from those Cares and trobles which as thinges yet stand must Needes often disquiet and offend you. But it Restes in your own poure to govern your own estaite well, others may move and wish well, but it is your Lordships self that must give Lief to the whole fraime of the worke.<sup>3</sup>

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1. Bolton MS. Sundry Paper, I. 27.
  2. Whitaker, 365. The normal size of the household at that time was 90 (Bolton MS. Bk. 75).
  3. Bolton MS. Sundry Letter, 105.

It would be unjust, however, to attribute to the Earl entire responsibility for the excessive household expenditure. Part of his trouble was caused by the necessity of supporting virtually two households, his own and Lord Clifford's, without the income from a valuable section of the Clifford estates, the Westmorland manors. The separation of the two households was an arrangement not to the Earl's satisfaction. He had wanted Lord and Lady Clifford to live with him "as well for my comforts as for good husbandry", but they, or rather Lady Clifford, preferred to live apart.

She had, too, put him to considerable additional expense. The Earl pointed out to Lord Clifford in a frank yet friendly letter early in 1617 that though he had granted her £8 a week for her expenses above the allowance Lord Clifford made her, she had to his surprise overspent by as much as £200. He hoped they would both realise, he said, how far out of fatherly affection he had exceeded the £600 allowance which Salisbury had requested for Lord Clifford. It seemed, the Earl wrote, that no place would satisfy Lady Clifford but his own principal house at Skipton, though he did not consider it fit for continuous use. He thought Lord Clifford would do well "to observe where and how some of your noble ancestors have lived in their fathers' time, whose matches were not inferior to yours".<sup>1</sup>

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1. Whitaker, 369-70.

The Earl's anxiety to decrease his household expenses was thus frustrated to some extent by domestic disharmony. It was not unnatural for Lady Clifford to aspire to being mistress in her own house or to live in the style she wanted. But, in the Earl's opinion, his finances were in no state to bear the added strain. The situation was both the product and a further cause of the inadequacy of the Earl's resources compared with the demands upon them.

The importance of the income from the cloth licence in the 4th Earl's finances will be apparent. Since there was never a surplus available from the estates once the heavy receipts from fines in Craven had ended, the profits of the licence were the only source from which the 3rd Earl's debts could be paid. The temptation must always have been there to use the profits of the licence, as the only surplus cash coming into the Earl's coffers, for some purpose other than the payment of the big London debts.

The temptation was resisted certainly in 1613 and probably in 1614 also, so that Dacombe's schedule of payment of the £18,000 debts was held to in fact as well as in theory in those years.<sup>1</sup> But in 1615, when the income from the licence fell<sup>2</sup> to £1,731.8.6 in this the first year of the Cockayne experiment, only £447.6.6 of the long-standing debts could be paid. With

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1. Bolton MS. Bk. 104, f.4b et seq. See also, infra, p.298 n.3  
 2. See supra, Table E.



the rest of the licence money, John Taylor paid the £469 interest due in the year, £434.2.8 of the 4th Earl's recent debts and £315<sup>1</sup> borrowed in 1614. The payment of the big debts, therefore suffered on two counts; from the fall in the profit of the licence and the necessity of using half of the receipts to ease the pressure of recent debts.

In the next two years when, it will be recalled, the estate income was at its lowest level,<sup>2</sup> the payment of the big London debts can have been no greater than £500 a year,<sup>3</sup> and in 1618 and 1619 it fell to £307<sup>4</sup> and £291<sup>5</sup> respectively. Although the pressure of recent debts and the lower estate income probably accounted in part for the low rate of payment, there was another reason. The Earl was drawn into heavy expenses connected with the controversies over the two interests of greatest importance to the fortunes of the house: his tenure of the cloth licence and his possession of the Westmorland estates which was dependent on the favourable concluding of the inheritance suit. It was, indeed, ironical that to protect those vital interests he was forced into expenses which

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1. Bolton MS. Bk. 105, f 3b et seq.
  2. See supra, Chapter VII, p.211.
  3. The accounts for 1616 and 1617 are not extant, but the level of payment can be inferred from the debts listed in Londesborough MSS. D/1,7, and the payments noted in Bolton MSS. Bks. 104-116.
  4. Bolton MS. Bk. 106, f.4a.
  5. Bolton MS. Bk. 107, f.5a.

added to his financial difficulties. Though the actual figures are not available for 1616 and 1617, the expenses may well have been heavier then than in the later years, since those were the two years when the major decisions were taken in the settling of the disputes.<sup>1</sup>

The drain on the income was in part for the higher legal costs entailed in the disputes, but principally for rewards<sup>2</sup> and Lord Clifford's personal expenses in London. Rewards, it is well known, were an essential accompaniment in James I's court of soliciting on matters of urgency. In normal years, 1622 for example, the only item in John Taylor's title of rewards was the £20 bestowed on the King as a New Year's gift. The large sum of £275 in 1618 was disbursed "in reward to divers persons for their paines, favours and furtherance in his Lordships greate and waightie businesses".<sup>3</sup> In subsequent years the chief beneficiaries are named - Lord Chancellor Bacon and Sir George Calvert, formerly Clerk of the Council and at the time a Secretary of State.<sup>4</sup> Bacon was rewarded with 100 pieces in 1619 and Calvert with a suite of silver dishes worth £157.5.0.<sup>5</sup> In 1620, Bacon received £210, his servants £53;<sup>6</sup> in 1621, a further £120 and his servant Mr Johnson, chief gentleman usher, £10.<sup>7</sup> John Taylor did not state how he bestowed the other sums,

1. See *supra*, Chapter VIII, p.233 and Chapter IX, p.269.
2. See *infra*, Table G.
3. Bolton MS. Bk.106, f.3a.
4. D.N.B. 111, 721-4.
5. Bolton MS. Bk.107, f.4a.
6. Bolton MS. Bk.108, f.3b.
7. Bolton MS. Bk. 109, f.7.

TABLE GLegal and Soliciting Expenses, 1613 - 1622.<sup>a</sup>

	<sup>b</sup> <u>1. Legal Expenses</u>	<sup>c</sup> <u>2 Rewards</u>
1613	£144.16. 4	£55.18. 1
1614	-	-
1615	252. 7. 8	32.16.10
1616	-	-
1617	-	-
1618	228. 5. 5	275.11. 5
1619	141.11. 0	346. 0. 3
1620	133. 2. 0	337.11.10
1621	92.10.10	165. 0. 0
1622	97.16. 7	20. 0. 0

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- Notes: a. The sources are Bolton MSS. Books 104-110 (John Taylor's accounts), and 127, 129, 131 (William Taylor's accounts). John Taylor's accounts for 1614, 1616 and 1617 are not extant.
- b. Paid by John and William Taylor.
- c. Paid by John Taylor.

but they appear to have been substantial.

These gifts may reflect the Cliffords' gratitude for Bacon and Calvert's use of their influence in reaching a satisfactory settlement of the disputes. It will be recalled that the arrangement for sharing the cloth exports from which Cumberland benefited was first suggested by Bacon<sup>1</sup> and that whatever the implication of Cumberland's belief that the judges would "doe us right with favour",<sup>2</sup> at all stages of the inheritance dispute the decisions were to his advantage. It must be noted, however, that Bacon was related to Lady Clifford<sup>3</sup> and Calvert was one of Lord Clifford's intimate friends and a political associate in the Wentworth group.<sup>4</sup> The gift to Calvert, at least, would be as much a token of affection as a reward for special attention to the 4th Earl's affairs.

The gifts to them would be given with Lord Clifford's approval. He himself was in a far better position than Taylor to approach those whose opinions carried weight. His personal expenses may have included rewards given by him. In 1618 and 1619, when Clifford was "much at the Court solliciting his Majestie and the Lords about many waightie occasions",<sup>5</sup> his expenses of about £2,100 were £300 higher than in 1615.<sup>6</sup> They

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1. See supra, p.269
  2. See supra, p.226.
  3. Spedding, op.cit. vii, 5.
  4. J.J. Cartwright, Chapters in the History of Yorkshire, (Wakefield, 1872), 200, 207-8.
  5. Bolton MS. Bk. 106, f.2b.
  6. Bolton MSS. Bks. 106, 107, 98 passim. See also supra, p. 291.

can have been no less and were possibly more in 1616 and 1617.<sup>1</sup> With the greater legal costs and rewards, they were responsible for an abnormal demand on the resources. In consequence, there was little progress in paying the 3rd Earl's debts.

There were signs during the first years of the 4th Earl's<sup>2</sup> tenure of the estates both in the acquisition of new property and the payment of the 3rd Earl's debts of a recovery in the fortunes of the Cliffords compared with their state in 1605. This recovery could not be sustained. In the three years after 1614 the payment of the debts came almost to a standstill. Indeed, the 4th Earl lost some ground for he was unable to prevent his own debts from increasing. In spite of the continuous financial strain, the steady depreciation of the<sup>3</sup> estates and the unceasing personal anxiety, when the first phase of the Earl's tenure ended in 1617 he had not only failed to clear off the big debts but had fallen so far short of Dackombe's schedule of payment that over half the 1613 total, £10,000 in fact, had yet to be met.<sup>4</sup> In addition to these, there were the new debts which had accumulated in the country as well as in London.

In the fortunes of the Cliffords, 1617 was a decisive year. The 4th Earl now took possession of the Westmorland estates

1. Bolton MS. Bk. 97 passim.
2. See supra, pp. 176-180.
3. See infra, Chapter XI.
4. The sources are given supra, p. 298 n.3.

and retained the cloth licence under more favourable terms. Most important, however, was the radical change in his financial position as a result of the King's Award and its grant of the £17,000 portion to the Earl of Dorset and Lady Anne. The state of the Earl's finances in the next phase of his career was dominated by its consequences.

#### 11. 1617-1628

The 4th Earl paid the instalments of the portion to Dorset on the appointed days; £5,000 at Michaelmas 1617, £6,000 at midsummer 1618 and the final £6,000 at midsummer 1619.<sup>1</sup> In theory, the fines that Cumberland received from Westmorland and Silsden should have been sufficient to provide the £17,000 required for Dorset. In practice, this was not so. By the time the portion had been fully paid, John Taylor in London had received only £3,500 of the<sup>2</sup> Westmorland fines. The money needed to pay Dorset was raised on loans; loans which re-created for the Earl the problems of large debts from which he had been partially freed in the previous decade. Not only was there a great increase in Cumberland's debts in a relatively short<sup>3</sup> period, for £16,800 were borrowed between 1617 and 1619, but at the same time the nature of the indebtedness itself altered as a result of the type of debt now incurred. Interest at the legal rate of 10% was demanded on all the new loans whereas

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1. Bolton MSS. Bks. 106, f. 3b., 107, f. 5a.
  2. Bolton MSS. Bks. 106, f. 1b., 107, f. 1a.
  3. Bolton MSS. Bks. 106, f. 2a., 107, f. 2a.

in 1613 less than a third of the 3rd Earl's debts had been at usury.<sup>1</sup> The drain on the Earl's income for payment of interest was now much greater and meant that a delay in repayment of the loans would have far more serious consequences than the leisurely satisfaction of the creditors in the preceding years. The chance to settle his financial problems, the last chance perhaps, as well as the difficulties, were apparent to the Earl. "Yf now we fayle, the suytes being ended", he counselled Lord Clifford, "the fawlte is our own; therefore we must, bothe of us,<sup>2</sup> look to our own courses".

The payment of the new debts depended almost entirely on the receipts from two sources, the Westmorland fines and the cloth licence. In 1626, when these sources had both finished, a large part of the new loans and lesser sums borrowed after 1619 had still not been repaid. The 4th Earl again found himself in a precarious financial position. As before 1617, a variety of factors contributed to the delay in repayment. Some were a continuation of old difficulties, others new elements in the situation.

Some delay was inevitable. The fines from the leases granted in Westmorland and Silsden could not be raised at once.

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1. See supra, p. 289.  
 2. Whitaker, 369.

The slowness with which the Westmorland fines were collected was, however, the result of deliberate policy. The Earl's officers considered that careful valuation of the tenements and negotiations with the tenants over the rate of fines would enhance the amount the leases might yield. The policy was successful in that the receipts from the fines slightly exceeded the limits laid down in the King's Award.<sup>1</sup> On the other hand, the arrangements with the tenants were not completed for two and a half years, until October 1619, and the last payments of the fines were not made until 1623, six years after the settlement<sup>2</sup> of the inheritance suit.

It may be doubted if the efficiency of Cumberland's officers on this occasion best served his immediate interest. Despite the high figure of receipts, the slowness of collection meant that there could be no speedy payment of the new debts, nor an early reduction in the burden of interest. It would be invidious to criticise John Taylor and Thomas Pickering for advocating a policy which in any other situation would have been thoroughly justified. Yet, the state of the Earl's finances suggests that the crucial problem was how quickly could the new debts and the interest be reduced. The lengthy proceedings at Appleby effected the Earl's finances in a second way. Because of the estate activities, the costs of administration

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1. See supra, Chapter VIII, pp.233,240,241.  
 2. Bolton MS. Bk. 111, f.1a.



there were heavy. Mainly for this reason only half the normal £1,200 a year surplus of the Westmorland revenues could be sent up to London in the first six years of the Earl's full tenure of the estates.<sup>1</sup> The implications of this will be commented on shortly.

In contrast with Westmorland, Silsden's contribution came in quickly. The £2,000 from the fines for long leases had been received by November 1620.<sup>2</sup> The use of this money, which was assigned to the household expenditure<sup>3</sup> and not, as intended in the award, to the payment of the portion to Dorset, is indicative of the second factor which hindered the repayment of the new loans - the Clifford's high living costs. The household, (excluding the London and Appleby establishments), consumed all the revenue from Craven, Cumberland and the East Riding. This revenue could not, in fact, wholly support the household, for besides the £2,000 from Silsden, £1,079 were delivered to the various houses from Westmorland between 1617 and 1624.<sup>4</sup> Thus, not only was there no surplus from these estates to supplement the income from Westmorland and the cloth licence in the payment of the debts but large sums which would have helped to reduce

1. Londesborough MS. A/4.

2. Bolton MS. Bk. 132, f.2a.

3. Ibid. ff. 6a, 10a.

4. Bolton MSS. Bks. 101, 102, 132, passim; Londesborough MS.A/4.

the debts at an early date were diverted partly to current household expenses, partly to meet outstanding debts for household provision. It is clear that the high household expenditure, if not to say extravagance, which had been one of the main drawbacks to easing Cumberland's financial difficulties prior to 1617, had a similar deleterious influence on the analogous situation afterwards.

The Earl, as in former years, was aware of this. In 1617, when the cost of Lord Clifford's sumptuous preparations for feasting the King at Brougham disturbed him, he wrote;

I fynde plainly, upon better consideration, the charge for that entertaynment will grow very great, besyde the musick; and that, instead of lessening, my charge in generall encrease<sup>1</sup>th, and new payments come on, which, without better providence hereafter, cannot be performed.

That better providence, never more necessary than at this time, the Earl came no nearer achieving after 1617 than in the previous decade.

The high expense of the London establishment was a more recent problem and was due in the main to the costs of soliciting;<sup>2</sup> as has been described above. This, too, contributed to the delay in the repayment of the new debts. John Taylor's receipts, other than from the Westmorland fines and the cloth licence, consisted of the annual surplus of the Westmorland estates and minor sources which brought him in less than £100 a year,<sup>3</sup> with

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1. Whitaker, 369.

2. Supra, pp. 299-302.

3. The details of Taylor's income and expenditure in the period 1618 to 1629 are from an analysis of Bolton MSS.Bks.106-116.

£600 in 1618 from the sale of Clifford's Inn in London.<sup>1</sup> Until 1624, the expense of his activities was much greater than his receipts from those sources and he was compelled to draw upon his receipts from the cloth licence and the Westmorland fines, and, in addition, to borrow extensively; £100 in 1620,<sup>2</sup> £503.19.0 in 1621,<sup>3</sup> £500 in 1622<sup>4</sup> and £200 in 1624.<sup>5</sup> This borrowing meant an increase in the new debts at usury at a time when strenuous efforts were required, and were being made, to reduce them. The other consequence of the higher expense was that out of the £31,026 Taylor received from the licence and the Westmorland fines between 1618 and 1626,<sup>6</sup> £2,655 had to be used to make up the rest of the deficit on his ordinary receipts.<sup>7</sup> This amount represented a serious loss of cash which otherwise would have been available for the lowering of the debts and, of equal importance, available in the years 1618 to 1622, which were the vital years for the repayment of the new loans.

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1. Bolton MS. Bk. 106, f.2a.
  2. Bolton MS. Bk. 108, f.2a.
  3. Bolton MS. Bk. 109, f.3.
  4. Bolton MS. Bk. 110, f.2a.
  5. Bolton MS. Bk. 112, f.1b.
  6. £15,275 from the fines (see supra, Chapter VIII, p.240), and £15,751 from the cloth licence (see supra, Table F).
  7. See supra, p. 307 n.3.

It was particularly unfortunate for Cumberland that there was a permanent fall in the profits of the cloth licence only a year after the sudden great increase in his indebtedness in 1617.<sup>1</sup> This, if any, factor had a decisive influence on the state of his finances and it was a factor which, unlike estate and household affairs, was virtually beyond his control. Had the profit of the licence been restored to its normal level of £3,000 before the Cockayne experiment began, Cumberland could have overcome his immediate financial problems without the further damage to his estates that later he was unable to avoid. Nevertheless, the licence remained an asset of great value and the termination of the lease in May 1626 precipitated the Cliffords' most serious financial crisis since that which compelled the 3rd Earl to return to his estates, with the profits of the cloth licence assured, in 1602.<sup>2</sup>

In spite of the restrictions, for the reasons given, on the cash available for lowering the debts, John Taylor had still large sums at his disposal. Between 1618 and 1626, he was able to assign £27,861 to the payment of debts.<sup>3</sup> This figure, although considerably higher than the £18,203 taken up on loans from 1617, proved a totally inadequate sum. There were two

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1. See supra, Table F.
  2. See supra, p.106.
  3. See supra, p. 307 n.3.

reasons why this was so.

In the first place, the annual outlay for the payment of interest on the debts was heavy. It rose from £469 in 1615 to over £900 in 1618 and £1,721 in 1621. In 1627, it was still well above £900. The necessity of paying out a large part of the yearly receipts for the interest, which was in fact the first charge on the income, severely limited the annual repayment of the principal. Between 1618 and 1626, John Taylor paid £11,264 in interest compared with £16,596 in repayment of the loans. Interest thus accounted for between a third and a half of the disbursements on debt in the nine years after 1617.<sup>1</sup> The need to pay interest, however, was as much a consequence as a cause of the delay in repaying the new loans. Its probable effect on his finances the Earl and his advisors could have predicted. All the more surprising, then, that the other factors were allowed to obstruct the essential task of reducing the debts in the shortest possible time.

The Earl's failure to clear his earlier debts by 1617 was also partly responsible for the added strain on his resources after 1617. More than half the £18,000 owed in 1613 was still unpaid in 1617.<sup>2</sup> Many of the creditors were not prepared to

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1. See Table H.

2. See supra, p. 302.

let the Earl escape his commitments. Taking alarm at his new difficulties, they sued for payment of their debts, although in most cases they were prepared to accept reasonable composition of the sums involved. John Bromridge compounded with the Earl for £160 of the £200 he had recovered for a debt owed to Nicholas Wright, sadler. Lady Hawkins accepted £200 of the £300 owed her.<sup>1</sup> Anne Humphreys settled for £300 of the £1,600 bond due to Thomas Byrd, whose executrix she was. James Anton's heirs agreed to take £580 of his £800 debt, provided it was paid at the time they specified.<sup>2</sup>

All these, significantly, were debts incurred by the 3rd Earl. And there were others. Several Dutch Merchants, or their assigns, granted letters of attorney to Thomas Paradine to compound with Cumberland for bonds given to them by the 3rd Earl in repayment of the goods his ships seized in 1595 and 1596. They eventually received £322, a quarter only of the original debts.<sup>3</sup> William Shute was less orthodox in recovering his debt for goods supplied to the Earl's fleet in 1598.<sup>4</sup> He petitioned James I to intervene on his behalf. The King, overruling the Earl's protest, ordered him to pay the debt and sequestered the profits of the cloth licence until he had satisfied Shute. Shute settled for £600, or half the £1,200 debt he claimed.<sup>5</sup>

1. Bolton MS. Bk. 107, f.5a.

2. Bolton MS. Bk. 112, f.4a.

3. Londesborough MS. D/6. For the incidents in 1595 and 1596 see supra, p.59.

4. See supra, p.66.

5. Bolton MS. Sundry Paper, 273.

Between 1618 and 1627, Cumberland paid £3,539.1.6 of these long-standing debts and discharged a further £3,151 by composition. Most of the payment, over £2,500, was made in the years 1618 to 1621; in the period, therefore, of the heaviest calls on the Earl's resources. The pressure of the old creditors, resorting to legal action to enforce payment, thus aggravated Cumberland's difficulties after 1617. In the whole of the decade 1618 to 1627, the old debts accounted for almost a fifth of the principal of the debts repaid: £3,539 out of £16,596.<sup>1</sup> For this reason, the 4th Earl's failure to keep to Dackombe's schedule in the years prior to 1617 can be regarded as one of the main factors contributing to the delay in repaying the new loans and a particular embarrassment in the early years after 1617.

The six years immediately following the King's Award in March 1617 were the most critical for the payment of the new debts. Three years<sup>2</sup> passed, however, before there was a big reduction in them. The level of payment in 1620, then near its highest, could only be maintained whilst the receipts of the Westmorland fines were at their peak. Both before 1620 and after 1622 the surplus from the cloth licence and Westmorland was not enough to provide the substantial margin over the payment

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1. See *supra*, p. 307 n.3.

2. See Table H.

of interest necessary if there was to be a large decrease in the principal of the loans.

For three more years after 1622, John Taylor was able to make some progress in lessening the debt. This was possible because of the rise in the profit of the licence especially for 1625<sup>1</sup> and the receipt, for the first time, of the full surplus of the Westmorland estates.<sup>2</sup> When, however, the income from the licence ended in 1626, the Westmorland revenues, unsupported from other sources, could barely cover the expense of Taylor's duties in London. The Cliffords were now faced with a crisis in their financial affairs.

Their debts were still heavy. The loans taken up since 1617 and not yet paid amounted to £6,100. Over £5,500 were still owed to the 3rd Earl's creditors and a further £1,500 to Thomas Paradine, the residue of the £2,000 borrowed from him by the 4th Earl in 1613.<sup>3</sup> The problem was made acute by the high annual charge for interest, which was still over £900. Without the profit of the licence, the Cliffords' income could not produce a surplus large enough to pay the interest: payment of anything but minor debts was virtually impossible.

The situation is revealed by John Taylor's accounts for 1626 and 1627. In addition to interest, the debts paid amounted

1. See supra, Table F.

2. Bolton MS. Bk. 112, f.1a.

3. The sources for these figures are Bolton MSS. Bks. 106-116, and Londesborough MS. D/7.



to only £250 in 1626 and £204 in 1627.<sup>1</sup> In 1626, the Westmorland revenues were supplemented by £612, the final profit of the cloth licence.<sup>2</sup> In 1627, however, the money required to pay the interest due in the year could only be raised, once again, from the estates. The sale of part of Cleving Closes in the East Riding brought in £806.<sup>3</sup>

This sale gave Cumberland a year's grace in which to consider how to deal with the problem. The drain of interest prohibited any lengthy postponement of the issue, but in 1627 there was good reason for avoiding precipitate action. The Earl's request for compensation for the fall in his profits from the cloth licence awaited the King's decision. The decision was important. If Cumberland had received the full compensation of £12,406 which the Crown agreed was due to him, he would have had the ready money to free himself from all his outstanding debts and, with them, from his immediate financial worries. In the event, he was disappointed; not only by the allowance of only half the compensation, but by the failure of the Crown to pay the £3,755 in cash in accordance with the warrant issued to him for that purpose.<sup>4</sup>

Because of the Crown's default in 1627, Cumberland had no alternative but to reduce his debts by raising money again from his estates. In 1628, he sold the Borderlands for £6,700 and

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1. See Table H.
  2. See supra, Table F.
  3. Bolton MS. Bk. 114, f.1b.
  4. See supra, Chapter IX, pp.273-4.

the lease of Bewcastle for £350 to Sir Richard Graham of Norton Conyers. John Taylor received £5,350 of this money in 1628 and used the greater part of it to pay debts.<sup>1</sup> He repaid £2,000 to Lady Craven, the remainder of a loan of £3,000 taken up in 1618; £300, plus interest, the residue of £1,500 borrowed of William Frankland in 1617; £500, with £518.15.0 more for interest, owed to William Taylor's estate since 1618; and £400 owed on smaller loans borrowed in 1622, 1624 and 1625. He also satisfied two of the 3rd Earl's creditors; one for a debt of £20, the other, Lady Van Lore, for £1,000 borrowed on a statute from her late husband Peter Van Lore in 1605.<sup>2</sup> In the next year, 1629, when Taylor received the final £1,700 from Graham, he repaid £1,000 to Lady Craven, part of £3,000 borrowed in 1619, small debts totalling £32.6.0 and the interest of £608 due in that year.<sup>3</sup>

The sale of the Border lands was a drastic measure entailing a permanent decrease in the value of the estates and a consequently lower income which could have been acceptable only because no other course was possible. It substantially reduced the size of the 4th Earl's debts; in fact, by £5,252 besides the interest paid. Even so, many debts remained. Out of the

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1. Bolton MS. Bk. 115, f. 1b. C 54/2752.
  2. Bolton MS. Bk. 115, f. 3b. For the statute, see Table A.
  3. Bolton MS. Bk. 116, f. 3a.

£8,660 owed to the 3rd Earl's creditors in 1620, £4,230.10.6 had still not been paid in 1630.<sup>1</sup> However, very few of these creditors troubled the 4th Earl after 1630, although in 1640 some again took action.<sup>2</sup> The payment of Lady Van Lore's debt in effect meant that the 3rd Earl's debts, a quarter of a century after his death, had ceased to be an important factor in his successor's financial difficulties. The 4th Earl's concern was now with the debts he had himself contracted. Relative to his resources, they were still large and troublesome. In 1630, he owed £2,000 to Lady Craven, the residue of the last bond of £3,000 taken up in 1619; £1,500 to Thomas Paradine, owed since 1613; £100 borrowed in 1626 and £300 in 1627: in all, £3,900.<sup>3</sup> The sale of the Border lands had eased, but not solved the problem of indebtedness.

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1. The sources are given supra, p.313 n.3.
  2. They are discussed infra, section 111.
  3. See supra, p.313 n.3.

TABLE HThe Payment of the London Debts, 1618-1629<sup>a</sup>

<u>Year</u>	<u>Interest</u>	<u>Principal</u>	<u>Total</u>
1618	£ 925. 6. 0 <sup>b</sup>	£ 368.15. 3	£ 1,294. 1. 3
1619	1,352. 7.10	984.14. 8	2,337. 2. 6
1620	1,510.10.10	3,197. 9. 6	4,708. 0. 4
1621	1,721.13. 0	3,303. 5. 2	5,024.18. 2
1622	1,229.11. 0	2,762.10. 0	3,992. 1. 0
1623	1,286.15. 8	1,521.15. 6	2,808.11. 2
1624	1,292. 3. 4	1,407. 4. 4	2,699. 7. 8
1625	1,210. 0. 0	2,800. 0. 0 <sup>c</sup>	4,010. 0. 0
1626	736. 3.10 <sup>d</sup>	250.15. 0	986.18.10
1627	932. 3.10	204. 0. 0	1,136. 3.10
1628	209.18. 4 <sup>e</sup>	4,896.18. 8	5,106.17. 0
1629	608.16. 8	1,032. 6. 0	1,641. 2. 8
	£ <u>13,015.10.4</u>	£ <u>22,729.14. 1</u>	£ <u>35,745. 4. 5</u>

Notes

- a. The sources are John Taylor's accounts, Bolton MSS. Bks. 106 to 116 and 124.
- b. This sum included the cost of a horse bestowed on Sir William Craven (Bk.106, f.4a).
- c. The 1625 account is not extant. These figures are estimates based on details given in the other accounts.
- d. Lord Clifford paid the rest of the interest in this year.
- e. The remainder of the interest due was included in the title of debts paid (Bk. 115, f. 3b).

111. 1629-1646

From the middle years of the 1620's there was a decline in the level of the 4th Earl's income and expenditure. The ending of the Westmorland fines, the loss of the cloth licence and the sale of the Border lands were responsible for the fall in income, the payment of most of the big London debts and lower household costs for the fall in spending. Much smaller quantities of cash were now passing through the hands of the officers than at any time in the previous twenty years.

The decrease in the household expenditure was principally the result of the 4th Earl's retirement and simpler living. Though he kept his own establishment, often at Hazlewood mansion, there was now virtually only one household, Lord Clifford's. The main body of servants with Lady Clifford wintered at Londesborough and spent the summer months at Skipton. Lord Clifford's duties and interests entailed constant travelling. Lady Clifford often accompanied him, especially to the south<sup>1</sup> for the London season.

The less onerous responsibilities in London and on the estates allowed a simplification of the household organisation. This took place between 1630 and 1632. The new system centred on Lord Clifford's secretary, Robert Robotham, who combined many of the duties which the stewards, Receiver-general and London agent had hitherto performed and supplied the co-

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1. E.g. Bolton MS. Bk. 168.

ordination and overall control which Lord Clifford might have reserved to himself had he resided continuously in Craven. The change was made possible by the death or declining powers of the 4th Earl's principal servants, all of whom had held office under the 3rd Earl.<sup>1</sup>

Despite the changes, the Cliffords were no closer to achieving a proper balance between their income and expenditure in the 1630's than they had been in 1615. The deficiency of the resources compared with the demands continued throughout the last years of the 4th Earl's life. The causes and consequences of this are already familiar, for Cumberland's financial difficulties after 1628 were no more than a modification of the basic problems he inherited with the estates in 1605.

In the first place, though the costs of the household (excluding Appleby) had fallen from £5,609 in 1615 to £4,406 in 1629,<sup>2</sup> relative to the income they were still too high. Lord Clifford, like his father, made no attempt at the drastic paring of the expenses which was as essential in the 1630's as two decades earlier.

Though Clifford, according to Clarendon, could not live with the lustre of his ancestors,<sup>3</sup> he did not allow the state of the family fortunes to discourage him from living in a style

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1. E.g. Bolton MSS. Bks. 187, 122, 140.
  2. Skipton MS. A/36/7.
  3. Whitaker, 360.

worthy of a nobleman of his rank and expectations. Like his uncle the 3rd Earl, Lord Clifford was a notable joust<sup>1</sup>er and performed on royal occasions. In him, too, the sporting instinct was highly developed. He frequented the races at Newmarket and Newcastle, raced his own horses at Kiplingcotes and Black Hambleton in Yorkshire and at Appleby.<sup>2</sup> Nor was the field the limit of his interests. According to Lady Anne, who had a favourable opinion of him,<sup>3</sup> he was skilled in architecture and mathematics. He was patron of the Dutch painter Hendrik de Keyser the younger,<sup>4</sup> who joined his household and received a regular wage. He commissioned work from other painters, including Daniel Mytens, and from the Yorkshire sculptor Nicholas Stone, Keyser's brother-in-law.<sup>5</sup> He accommodated French and Spanish gentlemen in his household and gave unstinting hospitality to all guests.<sup>6</sup>

These pleasures, though barely within his means, he probably regarded as his right; as compensation, indeed, for shouldering family burdens which were none of his making. He

1. Whitaker, 365.
2. Bolton MSS. Bks. 238, f.78; 107, f.3a; 169 passim.
3. B.M. Harl. 6177, f.53a.
4. E.g. Bolton MS. Bk. 175, f.37. For what little is known of Keyser see Oud-Holland, vol.22 (1904), 88, 91.
5. Bolton MS. Bk. 168, 24 June, 6 July, 1631.
6. E.g. 566 dinners and suppers were served to guests in the week ending 3 January 1629 (Skipton MS. A/36/7).

may also have deemed it unwise to trim his disbursements drastically since his authority on the Border and in the north-west counties would have inevitably suffered. He seems to have derived much satisfaction from his public and private duties. This is not surprising, for he was a man of ability and culture who made the most of the opportunities open to persons of high estate.

Because Lord Clifford's ordinary expenditure was high, the estate income, now much lower than formerly,<sup>1</sup> could not provide the surplus required to meet extraordinary expenses nor for the interest demanded on the main London debts: this, despite the fact that it was sustained as in previous years by fines from long leases granted in Craven, a policy involving steady depreciation of the estates.<sup>2</sup> Complaining to Lord Clifford in 1639 of the shortage of money, Robert Robotham stressed, as had John Taylor twenty-five years earlier, how special occasions no more unusual than Lord Clifford's visits to Scotland and Ireland disturbed his careful management of the household finances.<sup>3</sup>

It was if anything more difficult after 1628 to send to London the sums needed to pay the interest on the debts, though the interest was much less than formerly. This was an inevitabl

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1. See supra, p.213.
  2. See infra, Chapter XI.
  3. Londesborough MS. E/5.



repercussion of the loss of the revenues of the Border lands. Until the year of the sale, the surplus from Cumberland had been allocated to the households at Skipton and Londesborough. It was replaced after 1628 by assigning £300 of the Westmorland surplus to Skipton whilst the remainder was distributed between Skipton, Londesborough and London.<sup>1</sup> This arrangement cut down the amounts annually sent up to London. The shortage of money in London for both living expenses and interest payments led to further borrowing: a process which with its cumulative effect of increasing the demands on the resources caused a gradual deterioration in the Cliffords' financial circumstances.

John Taylor's payment of debts in 1628 and 1629 was offset almost at once by new loans taken up by other household officers. The total of the London debts had risen by 1630 to approximately £5,000.<sup>2</sup> In the next three years, they probably fell slightly. The reason for this was a temporary surplus of income created by the granting of long leases in Craven on a wider scale than in normal years. In 1630 and 1631, 20 tenants of Halton paid £1,011 for long leases;<sup>3</sup> in 1631 and 1632, similar grants to 18 tenants in Starbotten brought in £1,600.<sup>4</sup> The use of these fines reflects the dual character of the excessive demand on the estate revenues. The Halton fines were dispatched to London for the

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1. E.g. Bolton MSS. Bks. 114, 187.

2. Bolton MSS. 124, 160.

3. Bolton MS. Bk. 265, f. 21 et seq.

4. P.R.O. Index, Patent Roll, 9 Charles I, pt. 25.

payment of debts and interest;<sup>1</sup> the Starbottan fines were assigned to the household to pay local debts and current expenses.

After 1633, however, the debts rose steeply. In 1634, John Taylor borrowed £700 in London; £400 being for Lady Elizabeth's marriage to Lord Dungarvan, eldest son of the great Earl of Cork, and the other £300 for Lord Clifford's occasions;<sup>3</sup> in 1636, £300.<sup>4</sup> In 1635, Robert Robotham borrowed £1,450 in London and also received directly from tenants in Craven £299.19.4 paid by them for long leases of their tenements. He used £1,100 of this money to pay debts, interest and brokerage and arrears of rent; the remaining £600 were spent on household provision.<sup>5</sup> By 1637, the London debts had increased to £6,600.<sup>6</sup>

The death of Lady Craven and her executors' request for the payment of the £2,000 still owed her on the last great bond of 1619 led to yet another crisis in the Cliffords' finances. It was this new difficulty which prompted Lord Deputy Wentworth, who stood bound with Cumberland, Lord Clifford, Sir Gervase Clifton and John Taylor for the debt, to ask Charles I for the

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1. Bolton MS. Sundry Paper, I. 65, f.4b.
  2. Bolton MS. Bk. 137, f.1b.
  3. Bolton MS. Bk. 118, f.1b.
  4. Bolton MS. Bk. 120, f.1b.
  5. Bolton MS. Bk. 183, f.1a.
  6. Cf. Bolton MS. Bk. 125, title 2.

payment of the money which had been granted the Earl in 1627 as compensation for his losses on the cloth licence, John Taylor, as previously stated, received the money with the interest on it, £3,900 in all, between December 1638 and February 1639.<sup>1</sup> Almost all of it was assigned to the payment of the London debts. Taylor paid the £2,000 to Lady Craven's executors and persuaded them, by his "urgent endeavour and request", to abate £96.13.4 of the interest owed on the debt because of his payment of the principal. Debts to other creditors amounting to £1,092 and £547.1.0 interest due in the year were also satisfied. The £100 of the privy seal money which remained were delivered on Lord Clifford's direction to the Archbishop of Canterbury towards the repair of St. Paul's Church: a nice gesture to urgent spiritual needs, when his own material wants were so great

The belated payment of the privy seal money enabled the 4th Earl to cut his London debts to almost half the 1637 total. If those debts only are considered, Cumberland's financial position would seem to be comparable with that of 1629; only more favourable, since the debts were rather lower. This was not the case. The London debts were no longer a reliable indication of the state of the finances. In 1639, they were small in comparison with any year of the 4th Earl's tenure of

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1. See supra, Chapter IX, p.274.  
 2. Bolton MS. Bk. 125, title of debts paid.

the Earldom prior to 1628: relative to his ability to pay them without sales of land, they constituted a serious, even unmanageable problem.

One reason for this was that the London debts had been kept to a minimum because the household officers had provided large sums out of their own resources towards the Cliffords' expenses. To do this, when required, was almost a condition of holding office, but after 1630 the sums involved were unusually high. John Taylor had paid out of his own pocket £1,010 when he died in 1639;<sup>1</sup> Richard Hughes £320<sup>2</sup> and Robert Robotham £822<sup>3</sup> at the close of their accounts in 1640, Miles Overend £231<sup>4</sup> and Christofer Pettie £279 in 1641.<sup>5</sup> In one respect, his officers' use of their private means was to the 4th Earl's advantage. It saved him the cost of both the interest and brokerage on ordinary loans. All the surpluses, however, constituted a charge on his income which would, at some date, have to be met. In that respect they were no different from loans.

The gradual deterioration of the estates, starting with the 3rd Earl's spoliation in 1602-5, was the second, and more important, reason for the serious condition of the Cliffords' finances in 1639. Sales, on the one hand, had lowered the

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1. Bolton MS. Bk. 122, f.3b.
  2. Bolton MS. Bk. 152, f.3a.
  3. Bolton MS. Bk. 187, f.7b.
  4. Bolton MS. Bk. 179, f.38.
  5. Bolton MS. Sundry Paper, I. 126.

rental; the granting of long leases, on the other, had diminished the annual receipts from entry fines. By 1639, the receipts from both long leases and ordinary leasing had fallen below the yearly average of the earlier decade. These are matters which will be dealt with later, in Chapter XI.

The state of the household finances in 1639 seriously perturbed Robotham. Out of the £1,750 rents in his charge, he expected to receive in cash only £990. The rest was accounted for by the value of the demesnes occupied by Lord Clifford, rent charges and rents retained by some of the tenants for debts or interest. John Dawson, for example, was withholding his £10 rent for Lobwood as interest owed him for malt delivered to the house in the previous summer; Robert Tullan his rent of £19.13.4 for a debt for tobacco. The £990 with £300 from Westmorland was all Robotham would have to maintain the house, pay wages, urgent debts and interest. Until Martinmas, only £500 would be available for the house-keeping at Skipton, Lord Clifford's journey to London and housekeeping there; far less than would be needed.<sup>1</sup>

However, Lord Clifford's journey and the financial quandary Robotham anticipated were forestalled by the King's command to him to repair to Newcastle to take charge of the defences against the Scots, as Governor. Sir Jacob Astley

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1. Londesborough MS. E/5.

thought him "wondrous fit in all respects to take care of this place."<sup>1</sup> Robotham accompanied him, first to Newcastle and thence, in April, to Carlisle which Lord Clifford occupied with his trained bands as Lord Lieutenant of Cumberland.<sup>2</sup>

The London journey was undertaken later in the year. The pressure of political events now dictated the course of Lord Clifford's life. Neither the 4th Earl nor he himself again enjoyed the relatively tranquil political conditions of 1638. For the first time since 1611 personal financial matters were subordinated to affairs of state. Lord Clifford remained in London for the Short Parliament, keeping house at Chelsea with Lady Clifford after she joined him in April until the end of July. He travelled north for the Great Council at York and the second Scots' War, but returned to London for the Long Parliament. He took his leave of the Earl of Strafford, his brother-in-law, on the 11th May, 1641 and set out for Skipton the following day, the day of Strafford's execution.<sup>3</sup>

The costs of the London establishment on the first visit were sustained by some borrowing;<sup>4</sup> on the second, by the first

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1. Cal.S.P. Dom., Charles I, 1638-1639, CCCCxi11, 32.
  2. Ibid. 1639, CCCCxvii, 85; Bolton MS. Bk. 177, f.196 et seq.
  3. Bolton MS. Bk. 179 passim.
  4. Ibid. f.3 et seq.

receipts of fines paid by Westmorland tenants on the decease<sup>1</sup> of the 4th Earl in January 1641 which totalled £1,083 in 1641. Since 1639, there had been little change in the indebtedness for the London debts stood at £3,580.<sup>2</sup> Some creditors, however, had grown impatient. In December 1639, a Chandler made an arrest on Robotham for a bill for provender for Lord Clifford's horses.<sup>3</sup> In July 1640, the Sheriff of Middlesex levied a full execution on Lord Clifford's goods at Chelsea for the 3rd Earl's debt to James Anton of £805, notwithstanding the fact that most of the debt had, at various times, already been paid. Robotham had no option but to pay £200 in cash and give bonds for the rest.<sup>4</sup> In 1641, on the 9th May, one Barlow commenced suit against Lord Clifford, now 5th Earl, and Robotham for a debt of £300.<sup>5</sup> Other creditors were content to accept the regular payments of interest on the loans and renew them on request.

In the enforced absence of Lord and Lady Clifford and Robotham for long intervals, the direction of the estates and the Yorkshire households became spasmodic. The estates now existed primarily to provide ready money to send up to London.

1. Ibid. Receipts, August to January 1641-2.
2. Ibid. Disbursements, 1641.
3. Bolton MS. Bk. 177, f.262.
4. Bolton MS. Bk. 179, Disbursements, 17 July 1640.
5. Ibid. 9 May 1641.

The regular system of annual accounting ceased at the end of 1641, for by the late autumn of 1642<sup>1</sup> hostilities had commenced in Yorkshire. The 5th Earl, after a vain attempt to keep the county in peace, joined the King at York and headed the list of the Yorkshire gentry who declared their support for Charles, subscribing £500 for his service.<sup>1</sup> He raised two companies of horse to garrison Skipton Castle under Sir John Mallory. In three months, Cumberland was £1,100 out of purse in supporting these troops, "Besides all other Charges of extraordinary<sup>2</sup> howsekeeping and free quarter for as many as please".

The expense mattered little. Nine months later, on the 11th December, the 5th Earl died, at one of the prebends' houses in York, at the age of 51. He was buried at Skipton. His Countess survived him by only two months, dying also at York, where she was buried, in the Minster.<sup>3</sup> It was now that the division in the Clifford inheritance took place, Lady Anne claiming Skipton and Westmorland, the other property falling to the Earl and Countess of Cork.<sup>4</sup> For the present, their<sup>4</sup> possession of the estates was nominal. Londesborough first, and later Skipton, after its surrender in December 1645, the last Royalist castle in the north to yield,<sup>5</sup> were sequestered by

1. Dawson, 119 et seq.

2. Bolton MS. Sundry Paper, I. 113.

3. G.E.C. iii, 570.

4. In accordance with the King's Award; see supra, Chapter VII p.234.

5. For an account of the siege see Dawson, 125 et seq.



Parliament. The Countess of Cork was allowed her fifths from Londesborough and Craven<sup>1</sup> and in November 1646, the Earl of Cork<sup>2</sup> compounded under the Articles of Oxford.

In compounding, he craved allowance of two debts; the one to Thomas Paradine, under a statute acknowledged in 1613 by the 4th and 5th Earls, on which £1,500 principal and 6 years' interest were due; in all £2,120. The second was Anton's debt of £800, on which the execution had been levied in 1640. £500 of this were owed, with £5.10.0 costs. These debts had been the most enduring of the Cliffords' debts. It was no injustice to the Earl of Cork if he paid the residue of Anton's debt that the composition of £580 agreed in 1624 was paid twice over before Anton's children had been satisfied. For this, appropriately, was one of the 3rd Earl's debts on which he and his successors had persistently defaulted. Paradine, likewise deserved full consideration. He was, over a period of fifty years, one of the most important and certainly the most reliable of the Cliffords' innumerable creditors.

It is likely that the Earl of Cork, as the 5th Earl's executor, took upon himself the task of paying the whole of his surviving debts, just as in 1650 he called the Earl's

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1. Whitaker, 415 note; Althorp, Burlington Papers, Box.3.
  2. J.W. Clay(Ed.), Royalist Composition Papers, II (Yorks, Arch. Soc. Rec. Ser., xviii, 1895), 122-3.

household officers to account for their receipts from 1641 to 1644.<sup>1</sup> It is difficult to imagine the London scriveners, in particular Humphrey Shalcross and Henry Iles, the 5th Earl's main creditors,<sup>2</sup> readily forgoing payment. And, as late as 1660, four creditors gave written acknowledgment to Cork of the discharge of all the 5th Earl's debts to them; the last<sup>3</sup> on the 20th January 1665, twenty years after his death.

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1. E.g. Bolton MS. Sundry Paper, I. 126.
  2. For the list of these, see Appendix III.
  3. Althorp, Burlington Papers, Box 3.

CHAPTER XITHE CLIFFORDS' ESTATE POLICY, 1606-1646

Two distinct aims can be discerned in the estate policy of the 4th and 5th Earls in the period 1606 to 1646. In the first place, they sought to increase the ordinary revenues of the estates. Secondly, they raised cash by converting the capital assets of the estates. Though different, these two aspects of their policy were complementary rather than contradictory and were directed towards, and were partial solutions of, the one problem, the inadequacy of the normal estate income.

The emphasis in this discussion of their policy will be on the running down of the capital value of the estates. This emphasis reflects fairly the dominant aspect. At the same time, the Cliffords' efforts to improve the normal yield of their estates were noteworthy and to some extent offset the steady deterioration of the inheritance. This aspect will be dealt with first.

Some of the measures by which the revenues were increased have already been mentioned. The purchases in the first six years of the 4th Earl's tenure, the rackrenting of tithes and demesnes, the utilisation of the natural resources of timber, coal and lead

and the thorough exploitation of the Border manors were described in Chapter VII. There are other instances of measures which, though of less importance, are similarly indicative of the Cliffords' willingness to improve their property and revenues. For example, Lord Clifford consolidated his scattered strips in the east field in Sutton by agreement in 1620. As in the sixteenth century, tenants were permitted, if not encouraged, to enclose parts of the waste.<sup>2</sup>

One further method of increasing the normal estate income, a change which ultimately was to have the greatest effect on the revenues, has yet to be considered. This method was to raise the rents of the ordinary tenements. In this, the East Riding as well as the Craven estates were concerned. In the East Riding, some of the rents on two manors, Londesborough and Easthorpe, were doubled, probably soon after 1635. The circumstances, as already stated, are obscure.<sup>3</sup>

The rent increases on the Craven manors were of far greater significance, since they are evidence that the Cliffords' adherence to the traditional system of beneficial leases was giving way to a modern approach in keeping with the progressive methods they already practised in leasing the demesne lands and

1. Bolton MS. Sundry Paper I. 29, f. 2.
2. Bolton MS. Bk. 220, f. 2a.
3. See supra, Chapter VII, p. 203.

in exploiting the natural resources. Under the new method, the ancient rent and arbitrary entry fine were replaced by an economic rent enhanced to full value. The new leases were for 21 years and this meant in some cases a shortening of the term compared with the previous lease. The first recorded examples of the new leasing were in 1626, in Sutton and Bradley. A messuage in Sutton leased in 1602 for 21 years for a rent of 13/4d and a fine of £25<sup>1</sup> was re-granted in 1626 for 21 years without fine but with the rent increased to £5.16.0.<sup>2</sup> A tenement in Bradley granted in 1604 on a 99 years and 3 lives' lease for a rent of 17/6d and fine of £33<sup>3</sup> was leased in 1626 for 21 years for a rent of £4.10.0. In 1635, a new 21 year lease of this tenement was granted and the rent was again increased, to £5.0.0.<sup>4</sup>

This new system gradually superseded the old practice in one group of manors in particular; the Skipton group, which comprised the original manors of the Skipton grant - Skipton, Silsden, Barden and Stirton & Thorlby - and Bolton, Bradley and Storithes & Hazlewood. But the change was not confined to those manors for neither Sutton nor Lothersdale, where a messuage was granted on an economic lease in 1635,<sup>5</sup> was part of the Skipton

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1. Skipton, Estate Ledger.
  2. Bolton MS. Bk. 265, f.29a.
  3. Skipton, Estate Ledger.
  4. Bolton MS. Bk. 266, f.26a.
  5. Bolton MS. Bk. 265, f.11a.

group. Side by side with the introduction of this new system, the old method of beneficial leasing continued. Under the 4th Earl, tenants who preferred to pay fines for leases rather than economic rents were allowed to do so.<sup>1</sup> Yet the advantage to the Cliffords of the economic rent over the beneficial lease can be seen from the Sutton leases. The 1626 lease in Sutton would have yielded £121.16.0 compared with only £39 from the 1602 lease.

When Lady Anne entered her Skipton lands in 1649, she not only dispensed with the old system completely in favour of economic rents, but in some leases granted much shorter terms than had been usual on the Cliffords' estates in Craven. For example, Skipton mills, which the 3rd Earl had granted on a 21 year lease in 1604 for a fine of £280 and a yearly rent of £4, Lady Anne leased in 1654 for 5 years for a rent of £100.<sup>2</sup> The Earl and Countess of Cork also changed over to economic rents in 1650 on the manors they inherited. Their opportunities, however, were more limited. More will be said on this question later in the chapter.

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1. Bolton MS. Bk. 262, f.3b. Dr Finch has shown that two other noble landowners, the Spencers of Althorp and the Brudenells of Deene, were like the Cliffords tentatively introducing commercial renting at this time (Five Northamptonshire Families, 49, 159).
  2. Skipton, Estate Ledger.

In its second aspect, the Cliffords' estate policy closely followed the pattern set by the 3rd Earl in the three years of great activity before his death in 1605.<sup>1</sup> Its purpose, to raise cash, was identical, its methods were similar and its effects, which were comparable, differed only in the respect that they extended the damage already done to the estates, and to the Craven property in particular.

Money raised from the estates by the conversion of the capital assets was, as has been noted, a regular feature of the 4th Earl's income and the large sums received in certain years, as from the long leases granted in 1616 and the sale of the Border lands in 1628, were related to special needs.<sup>2</sup> The 4th Earl raised cash from the estates in three ways.

Direct pressure on the tenants produced a "benevolence" from Craven in 1613 which amounted to £2,000<sup>3</sup> and a second in 1639, this time from Westmorland. Only the first receipts from the Westmorland benevolence, totalling £400, are recorded,<sup>4</sup> so that its full value is not known. These were exceptional devices which because of their dependence on the goodwill of the tenants could not be employed more than once. Indeed, in 1613 thirty-six tenants, mostly on the outlying manors, refused to contribute.

1. See supra, Chapters IV, V.
2. See supra, Chapter X, pp. 294, 314-5.
3. See supra, Chapter X, p. 293.
4. Bolton MS. Bk. 178.

Paupers, and twenty one were listed, were excused payment and other tenants who pleaded poverty were allowed to pay only one year's rent in place of the general contribution of two.<sup>1</sup>

The sale of property was a second method of raising cash. The important sales have been mentioned previously; the sale of Cliffords Inn for £600 in 1618, of part of Cleving Closes in 1627 for £806 and of the Border manors for £7,050 in 1628.<sup>2</sup>

Unlike his brother, the 4th Earl sold property both infrequently and with reluctance, as a last resort. The reason, in all probability, was that now the only manors which could be sold were those within the main blocks of the estates, a situation which the 3rd Earl had been forced to recognise in 1602.

Appropriately, the major sale after 1605 was of the Border lands, the most recently acquired of the Cliffords' possessions.

There were virtually no outright sales of property in Craven in this period. Nevertheless, Craven provided the greater part of the additional estate income after 1605. For this the 4th Earl relied upon changes in tenure of the type that had been a feature of the 3rd Earl's policy between 1602 and 1605. There was still considerable scope after 1605 for raising money by the same means, particularly in the Clifford fee manors which were hardly effected and in the Norton's manors which were untouched by the 3rd Earl's long leases. But one consequence

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1. Londesborough MS. E/2.

2. See supra, Chapter X, pp. 308, 314-5.



of the 3rd Earl's capitalizing of his estates by granting<sup>1</sup> medium leases was that his successors could capitalize in turn only by granting long leases to tenants who already held medium leases. This was the policy the 4th Earl adopted.

Capital messuages again proved an especially lucrative source. Before 1605, the capital messuages of Nesfield, Eshton and Gargrave had been sold and those of Grassington, Bradley, Carleton, Seostrop and Threapland granted out in fee farm or on long lease.<sup>2</sup> After 1605, the capital messuages on all the remaining Craven manors, with the exception of Rilston and Threshfield, were similarly granted out. The fee farm of Cleatop in Settle was taken by Robert Bindlose in 1612 for £1,600.<sup>3</sup> Embsay Kirk was granted in three parts, in 1615, 1622 and 1624, on leases for 3,000 years for £270.<sup>4</sup> The second moiety of Threapland in Cracoe was taken on a 5,000 year lease in 1614 for a fine of £440,<sup>5</sup> Woodhouse in Appletreewick on a 6,000 year lease in 1617 for £133.6.8.<sup>6</sup> and the fee farm of the capital messuage of Halton granted for £200 in 1630.<sup>7</sup> Thomas Ferrand gent in 1614 purchased for £160 the rent of £10 reserved on his fee farm grant of Carleton and in 1615 bought<sup>8</sup>

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1. See supra, Table D.
  2. See supra, Chapter V, p.154.
  3. Bolton MS. Bk. 104, f.1b.
  4. Bolton MS. Bk. 265, ff. 14a, 14b, 16a.
  5. Bolton MS. Bk. 266, f.7a.
  6. Bolton MS. Bk. 259, f.1b.
  7. Bolton MS. Bk. 265, f.22a.
  8. Ibid. f.5a.

the capital messuage of Flasby for his son Bryan who with it founded a separate, armigerous branch of the family.<sup>1</sup> The price would be about £700.<sup>2</sup> In addition the 4th Earl granted the fee farm of Yellison in Carleton, the equivalent of a second manor house in Carleton, to Edward Tempest gent for £363.4.0 in 1615.<sup>3</sup> Apart from Cleatop and Flasby, the capital messuages remained in the possession of the families which had for long occupied them.

Rilston and Threshfield alone of the manor houses were not granted out. The most likely reason was that the 99 years and 3 lives' leases of both fell in within a short time of their grant in 1606. A new lease of Threshfield for the same term brought in over £300 in 1615<sup>4</sup> and Richard Hughes, the Skipton Steward, paid £506 for a similar lease of Rilston manor house and tithe in 1619 and 1620.<sup>5</sup> The receipts from these leases were probably regarded as a convenient substitute for the fines which long leases would have produced. The remaining Craven manors did not possess capital messuages.

The 4th Earl's policy thus completed the process begun by the 3rd Earl of selling or granting on long leases the principal holdings of the Craven manors. Carleton was the fourth to be completely sold: Rilston and Threshfield stayed on medium

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1. Londesborough MS. E/2; Whitaker, 224.
  2. The ancient rent was £7.6.8.
  3. Bolton MS. Bk. 265, f.8a.
  4. Skipton MS. A/34/1.
  5. Bolton MS. Bk. 261, f.12a.

leases: all the other capital messuages were now held on long leases. The 4th Earl's receipts from the grants made after 1605 totalled £4,672.10.8.

It is to some extent misleading to deal separately with the capital messuages since the majority were leased in the course of large-scale granting of long leases to the ordinary tenants. Under the 4th Earl, there was a gradual conversion of a high proportion of medium and short leases to long leases. Not all the evidence for grants in the individual manors is extant. Much, however, is certain and, principally, for the manors of the Clifford fee. The number of leases known to have been granted and the receipts from them are set out in Table I.

The 4th Earl, it will be seen from Table I, granted a large number of long leases on most of the Clifford fee manors and on all four Norton's manors, Rillston with Flasby, Hetton, Threshfield and Linton. There was little scope for further grants in Settle and Giggleswick, the two Percy manors most effected by the 3rd Earl's leasing in 1604, though at least one fee farm grant was made in Giggleswick.<sup>1</sup> In Long Preston, however, most of the tenants who held medium leases in 1606 had taken long leases by 1626;<sup>2</sup> the exact details are not known and thus are not included in Table I. In another Percy manor,

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1. Bolton MS. Bk. 260, f.11a.  
2. Bolton MS. Bk. 220.

TABLE IFee Farms and Long Leases Granted in Craven, 1612-1643<sup>a</sup>

<u>Manors</u>	<u>No. of Grants<sup>b</sup></u>	<u>Fines Paid.<sup>c</sup></u>
Skipton	-	-
Barden	-	-
Bolton	-	-
Bradley	-	-
Storithes & Hazlewood	-	-
Stirton & Thorlby	-	-
Silsden	32	£2,000. 0. 0
Carleton	31	1,900. 4. 10
Lothersdale	1	8. 10. 0
Cononley	6	255. 3. 4
Nesfield	1	50. 0. 0
Malham	-	-
Eastby	5	261. 13. 4
Embsay	29	1,482. 18. 3
Halton	20	1,011. 10. 8
Flasby	18	1,092. 9. 4
Eshton	4	152. 0. 0
Gargrave & Broughton	32	1,700. 0. 0
Cracoe & Threapland	20	1,390. 3. 6
Woodhouse & Appletreewick	3	326. 13. 4
Grassington	-	-
Settle	1	1,600. 0. 0
Giggleswick	1	300. 0. 0
Long Preston	-	-
Rilston	37	1,038. 16. 6
Hetton	10	333. 7. 4
Threshfield	39	2,700. 0. 0
Linton	21	1,100. 0. 0
Starbotton	18	1,600. 0. 0
Buckden	-	-
Littondale	1	200. 0. 0
Langstrothdale	3	585. 0. 0
<u>Totals</u>	<u>333</u>	<u>£ 21,088. 10. 5</u>

Notes

- a. The sources are the 1646 Surveys, (Bolton MSS. Bks. 265, 266) except for Silsden (Skipton, Bundle 'Old Conveyances'); Gargrave and Threshfield (Whitaker, 234, 553); Settle (Bolton MS. Bk. 104, f. 1b); Giggleswick (Bolton MS. Bk. 260); Linton (Bolton MS. Bk. 257); Starbotton (P.R.O. Index Patent Rolls, 9 Charles I pt. 25); Littondale (Bolton MS. Bk. 109) and Langstrothdale (Skipton MS. A/24/4, 5).
- b. The figures for grants made in Littondale and Langstrothdale are incomplete and for Stirton, Long Preston and Buckden are not known.
- c. The figures of fines paid for Gargrave, Giggleswick, Threshfield and Linton are estimates.

Starbotton, 18 tenants took long leases in 1631.<sup>1</sup> There is little evidence of changes in tenures on the other Percy manors, Buckden, Littondale and Langstrothdale. It is clear, from the grants extant, that there was some conversion of existing short leases to both medium leases and long leases. Edward Ward, who had paid £280 in 1605 for a 21 year lease of his tenement at Middlesmore in Langstroth,<sup>2</sup> again paid £280 in 1615 for a 99 year and 3 lives' lease,<sup>3</sup> although eleven years had still to run on his earlier lease.<sup>3</sup> Dawson of Haltongill paid about £200 for the fee farm of his tenement in 1622.<sup>4</sup> Geoffrey Tennant took a 5,000 year lease of his farm at Yokenthwaite in Langstroth for a fine of £85 in 1615.<sup>5</sup> William Jacques was granted the fee farm of Christofer Tennant's farm at Beckermonds in Langstroth in 1622,<sup>6</sup> and in 1641 James Tennant paid £400 for the fee farm grant of his tenement at Scarhouse in Langstrothdale.<sup>7</sup> This evidence suggests that the changes in tenure may have effected most of the tenants on the three manors, for all the five grants which are known involved conversion to longer types of lease and four of the five to either the fee farm or long lease of the tenement.

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1. P.R.O. Index, Patent Rolls, 9 Charles I, pt.25.
  2. Bolton MS. Bk. 226, title 3.
  3. Skipton MS. A/24/4.
  4. Bolton MS. Bk. 109, f.3.
  5. Skipton MS. A/24/4.
  6. F. Foster, "Beckermonds in Langstrothdale", The Dalesman, x, (Clapham, 1948), 11.
  7. Skipton MS. A/24/5.

The Skipton group of manors, Bolton, Bradley and Storithes, the 4th Earl kept almost entirely free from long leases. After 1617, he was bound by the terms of the King's Award which forbade the granting of leases longer than 99 years and 3 lives apart from those required to raise the £2,000 from Silsden. Some fee farm grants had been made in Stirton before 1617.<sup>1</sup> But in the other Skipton manors and in Bolton, Bradley and Storithes throughout his life, he refrained from granting long leases; partly, one may suspect, for reasons of sentiment, since these manors were both the ancient and the central property of the Cliffords in Craven, and partly on economic grounds, because with their high proportion of demesne land, large holdings and short leases, they were unsuitable and, perhaps, too valuable for granting out in the fashion of the other Clifford fee manors. It was on these manors, too, that the alternative policy of economic renting was carried out. The inclusion of Bradley with the Skipton property, however, is curious. There is no apparent reason for it.

The 4th Earl seems to have made less favourable bargains than the 3rd Earl. Certainly the general rates were no higher than the 3rd Earl received. But this would not be surprising in view of his known desire for ready money and having to negotiate long leases with tenants who in most cases already held medium

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1. Bolton MS. Bk.220.

leases and therefore could bargain from stronger positions than in 1604. For example, the two tenants of Linton whose leases are recorded paid for their fee farm grants in 1615 slightly lower fines than for their 99 years and 3 lives' leases<sup>1</sup> in 1606.

The yearly totals of fines agreed upon for long leases and the receipts from all fines between 1612 and 1641 are set out in Table J. It will be seen that the fines from long leases (column one) contributed £15,155.16.1, or nearly half the total of £33,132.18.5 received from fines in that period. However, the estimated receipts from long leases of £21,088.10.5 given in Table I are more complete than the figure in Table J and they indicate that the proportion of fines contributed by long leases was much higher, at least two-thirds. If all long leases were known it would probably be above three-quarters.

Not many grants of long leases are recorded in the decade 1620 to 1630. Yet the receipts from fines in those years were both large and regular and may reflect the granting of many long leases of which there is no certain record. Except in 1612 and 1627, when large sums were received for leases of the tithes of Christ Church Oxford, the income from ordinary fines does not appear to have exceeded the figure suggested earlier of £300 to £500<sup>2</sup> a year, and in one period, 1618 to 1622, seems to have fallen

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1. £183 compared with £198.6.8 (Bolton MS. Bk. 257).  
 2. See supra, Chapter VII, p.214.

TABLE JReceipts from Fines in Craven, 1612-1641

<u>Year</u>	<u>Fines agreed upon<sup>1</sup> for Long Leases</u>	<u>Total Receipts<sup>2</sup> from Fines</u>
1612	£1,600. 0. 0	£2,823.12. 6
1613	700. 0. 0	2,266.19. 5 <sup>1</sup>
1614	723. 3. 6	783.14. 4 <sup>2</sup>
1615	2,379. 6. 4	1,255.15. 4
1616	1,174.10. 0	2,938. 7. 0
1617	262. 8. 8	353.17.11
1618	246.10. 2	560. 9. 7
1619	2,077. 0. 0	1,110.16. 3
1620	-	1,508.11. 5
1621	200. 0. 0	455. 5. 8
1622	625.10. 0	247.11. 0
1623	125. 0. 0	1,330. 6. 8
1624	190. 0. 0	1,334. 1. 6
1625	-	1,382.10. 9
1626	350.13. 4	994.13. 0
1627	-	3,025. 0. 8
1628	-	1,402.13. 4
1629	154. 0. 0	1,046.14.10
1630	842.13. 4	1,796.15. 3
1631	1,816.16. 8	1,618.10. 9
1632	153.16. 0	972.14.11
1633	166.13. 4	510.11. 5
1634	293. 0. 0	752. 6. 8
1635	260.10. 4	933. 6. 8 <sup>11</sup>
1636	142. 0. 0	180. 0. 0 <sup>24</sup>
1637	234.13. 9	406. 2. 6
1638	29.17. 4	508.12. 0
1639	1.13. 4	260. 7. 0
1640	-	285. 0. 0
1641	406. 0. 0	87.10. 0
<u>Totals</u>		
	£ 15,155.16. 1 <sup>3</sup>	£ 33,132.18. 5 <sup>11</sup> <sub>24</sub>

Notes

1. These figures are from an analysis of the leases noted in the 1646 Surveys (Bolton MSS. Bks. 265, 266).
2. The sources for these figures are Bolton MSS. Bks. 104-129, 131-5, 137-140, 146-153 and 183-7.
3. For a more complete total of fines paid for long leases see Table I.



well below that level. The 1646 surveys support this view. They reveal that few short and medium leases were granted, very few in manors where long leases were granted and then mainly<sup>1</sup> before 1626 when the change to economic renting began.

The 4th Earl's grants of long leases were concentrated almost exclusively in the period 1614 to 1637. Although Cleatop capital messuage was granted out in 1612 and Flasby in 1613, there is no record of long leases of the ordinary tenements before 1614, and the leases made after 1637 were, with the exception of the fee farm grant of Scarhouse in 1641, of minor importance. These limits of 1614 and 1637 are interesting, since they suggest that long leasing was resumed in 1614 when, after an interval in which big receipts first from the fines up to 1610, then from the grants of Cleatop and Flasby and from the Benevolence had supplemented the normal income, the 4th Earl could find no alternative method of adding to his ordinary receipts. Long leasing thus became from 1614 the means by which the Earl regularly inflated his estate income to the minimum level required to meet his expenses.

There are indications that by 1637 the scope for further grants was restricted by the exemption of the Skipton manors, by the great number of long leases already made, and, possibly, by

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1. Bolton MS. Bk. 265 passim.

the inability of the remaining tenants to pay a fair price for long leases. There is some conjecture in this question of ability to buy leases. Yet, it is likely that with numerous<sup>1</sup> tenants on or near the poverty line the stage might early be reached on many manors when further granting of long leases would cease to be an economic proposition. There is, otherwise, no apparent reason why the grants made after 1637 were so few and of so little value, for the Cliffords' need of ready money was certainly no less than in the previous decade.

There were thus on the Clifford estates in the years after 1605 two distinct and opposite trends in tenurial changes. One was the consolidation of the tenants' position vis à vis the lords', by the long leases and fee farm grants in Craven, by confirmation of the copyhold tenures in two East Riding manors, Weighton and Shipton,<sup>2</sup> and of the customary tenures in Westmorland.<sup>3</sup> The second trend was towards shorter leases and economic rents, for the most part in Craven, but also in the East Riding and, under rather different circumstances, in Cumberland.<sup>4</sup> Of the trends, the second was limited in its scope. Nevertheless, on those manors where they could be introduced, economic rents and short leases became the accepted basis of leaseholding after 1650.

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1. Cf. Skipton MS. A/32/3.
  2. See supra, Chapter VII, p.201.
  3. See supra, Chapter VIII, p.240.
  4. See supra, Chapter VII, p.206.

The establishment of the virtual independence of the tenants was by far the stronger of the trends and that independence had become by 1646 the predominant characteristic of tenures on the Clifford estates. The extent of the conversion to tenure by long lease and fee farm which had taken place in Craven under the 3rd and 4th Earls is apparent from the figures given in Table K. By 1646, the capital messuages on every manor other than Rilston and Threshfield had been sold or granted out. Only five manors, Skipton, Bolton, Bradley, Barden and Storithes, were free from long leases and of the five all but Skipton were held in part on medium leases, although the most recent grants had been for terms of 21 years.

Every other manor in Craven had been effected, to a greater or lesser degree, by the Earls' grants of long leases. Most of the tenements in two manors, Grassington and Eshton, had been granted out with nominal rents reserved.<sup>1</sup> In five manors, Nesfield, Flasby, Malham, Linton and Threshfield, the holdings had been granted out completely with full rents reserved, and almost completely in nine others, Carleton, Cononley, Settle, Giggleswick, Long Preston, Embsay, Cracoe, Hetton and Gargrave. More than half the tenants held long leases in Lothersdale, Eastby, Halton, Rilston and Starbotten, and grants had been made also in Silsden, Appletreewick and, though how many is now known

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1. See supra, Chapter V, pp. 135, 139.

in Stirton. In the three remaining manors, Buckden, Littondale and Langstrothdale, there were certainly some long leases and there may have been many.

In 1646, 624 tenants, or nearly half the tenants in Craven, are known to have held on long leases and since the details of grants on five manors are far from complete this can be regarded as a minimum figure. It is clear that by 1646 the 3rd Earl's successors had not only continued but on more than half the manors carried almost to its ultimate stage the policy initiated by him in 1588.<sup>1</sup> The changes made after 1605 were if protracted compared with the activity between 1602 and 1605 no less important in transforming the tenurial structure of the Craven manors.

The Cliffords' successors were able to recover some of the ground lost under the 3rd and 4th Earls. Lady Anne took action against her Westmorland tenants in 1653, basing her claim on the illegality of the King's Award and, in consequence, of the tenures which the award recognised. The security given by the 4th Earl after confirmation of the tenures proved to be no protection, for Lady Anne's lawsuits were entirely successful<sup>2</sup> and she was able to eject many of the tenants in 1653. As a result of the ejectments, Lady Anne claimed, with her usual

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1. See supra, Chapter IV, pp. 112-3.

2. Williamson, Lady Anne Clifford, 221 et seq., 304. See also supra, Chapter VIII, pp. 240-241.

TABLE KFee Farms and Long Leases Held in Craven, 1646

<u>Manors</u>	<u>Held in<sup>a</sup></u> <u>1606</u>	<u>Granted<sup>b</sup></u> <u>1612-1643</u>	<u>Total in</u> <u>1646</u>	<u>Total No.<sup>c</sup></u> <u>of Tenants</u>
Skipton	-	-	- <sup>f</sup>	105
Barden	-	-	-	32
Bolton	-	-	-	20
Bradley	1	-	1	30
Storithes	-	-	-	33
Stirton	-	-	-	27
Silsden	1	32	33	144
Carleton	20	31	51	55
Lothersdale	15	1	16	31
Cononley	12	6	18	23
Nesfield	12	1	13	13
Malham	43	-	43	43
Eastby	-	5	5	10
Embsay	-	29	29	35
Halton	-	20	20	33
Flasby	1	18	19	19
Eshon	15	4	19	25
Gargrave	-	32	32	40
Cracoe	1	20	21	28
Woodhouse	1	3	4	8
Grassington	32	-	32	40
Settle	54	1	55	62
Giggleswick	57	1	58	61
Long Preston	16	-	16	56
Rilston	-	37	37	55
Hetton	-	10	10	14
Threshfield	-	39	39	39
Linton	-	21	21	21
Starbotten	-	18	18	27
Buckden	-	-	-	28
Littondale	9	1	10	63
Langstrothdale	1	3	4	49
<u>Totals</u>	<u>291</u>	<u>333</u>	<u>624</u>	<u>1,267</u>

Notes

- a. See Table D.  
b. See Table I.  
c. The source is Londesborough MS. ~~4~~12.

disarming rectitude;

I altered the tenure of this land, which was the very thing I aimed at in my suits in law with my Westmoreland tenants, as being a great Benefit and advantage to me and my Posterity, and not only to me, but to all the landlords and Tenants in that Country.<sup>1</sup>

In Craven, the reversal of the trend came later and was carried out without the violence of the disputes in Westmorland. Seven of the Silsden tenants who held long leases granted in 1618 and 1619 were persuaded to surrender them between 1680 and 1686, and another in 1706.<sup>2</sup> The tenants of Grassington<sup>3</sup> relinquished their lands to one of the Dukes of Devonshire. These inroads into tenant independence in Craven, however, were but minor gains compared with the vast concessions that remained intact.

The decrease in the value of the Clifford estates as a result of the 4th Earl's sales and in particular the loss of<sup>4</sup> the Border manors has been described in an earlier chapter. His capitalizing by granting long leases in Craven reduced still further the value of the most important of the Clifford properties. This policy was forced on him in part by the paucity of ordinary fines owing to the 3rd Earl's previous capitalizing by granting long and medium leases. But whereas

1. Williamson, Lady Anne Clifford, 304.
2. Skipton MSS. A/32/5,6; Bundle, "Old Conveyances".
3. J.S. Fletcher, A Picturesque History of Yorkshire, (1899-1901), 11, 192.
4. See supra, Chapter VII, pp. 212-3.

the effect of the grants of medium leases had been the temporary loss of entry fines, from which the 4th Earl suffered, the cumulative grants of long leases by both Earls resulted in a permanent loss; the loss of the right to demand economic rents from nearly half the tenants in Craven. Moreover, the rents reserved in the 4th Earl's grants, as in his brother's, were still the low ancient rents of the tenements.

It was not until after 1650, when the 4th Earl's successors completed the change to economic rents, that the full effect on the estate income of the granting of long leases became apparent. The Earl of Cork had inherited three of the manors untouched by the long leasing, but in one, Bolton, over half the tenements<sup>1</sup> in lease had been racked to their full value prior to 1646. In Bradley and Storithes, however, where the 4th Earl had also made some increases in rents, Cork managed to raise the rents considerably. The rents of Bradley went up from £40.8.7 in 1646 to £70.18.0 in 1651; the rents of Storithes from £25.13.0<sup>2</sup> to £66.9.4. His other Craven possessions consisted of the manors most effected by the long leases. He could, therefore, increase the total rental of his estates by only a small margin; from £2,566 in 1646 to £2,634 in 1652 and to an apparently stable figure of £2,773<sup>3</sup> in 1654.

In contrast, Lady Anne was able to push up the rents of

1. 11 tenements out of 20 (Bolton MS. Bk. 266, f.12 et seq.).
2. Londesborough MS. E/9; Bolton MS. Bk.200, f.1.
3. Londesborough MS. A/3.

the manors she inherited, the Skipton group and Barden, from approximately £600 in 1646 to £1,050 in 1652, of which Skipton's share was £813,<sup>1</sup> (the rental of Skipton, including the demesne as in 1652, had been £241 in 1606).<sup>2</sup> Had it not been for the preponderance of long leases, the rent increases on Cork's manors might have been as spectacular as on Lady Anne's. As it was, whilst one source of estate income, that from entry fines, ceased, the compensatory rise in the rents on Cork's estates was only slight; on Lady Anne's it was equal to two thirds of the annual income from rents enjoyed by her predecessor.

The sales of property and the extensive granting of tenements in fee farm or on long leases inevitably entailed a profound change in the status of a great many tenants and, with it, a shift in the relationship between lord and tenant. During the lifetime of the 4th Earl, when the ancient tenurial structure of the manors largely disintegrated, the customary bonds, economic and social, between lord and tenant radically altered.

Many tenants, by purchasing the fee farm or the long lease of their holdings, rose from the inferior status of leaseholders or tenants at will to the position of independent

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1. Dawson, 199.  
2. Skipton MS. A/32/3.



farmers within a remarkably short space of years. Their attitude towards their superior lords underwent a comparable transformation; indeed, had changed within a decade of the first major grants made by the 3rd Earl. Stephen Taylor, writing from Skipton to the 4th Earl in 1612, told him:

It is so apparence and Manifeste that the ordering and governinge this Countrie is stranglye carried within these few Layte yeares as that wonted reverrente regaurde is not amonge the Inhabitanes towards your Lordshipps occations and officers as in tymes paste.<sup>1</sup>

A year later, the Earl himself complained, with an air of perplexity, to his friend the Archbishop of York,

though it be a generall complainte, yet my Tennantes make more bould with me then other mens Tennantes doe for thre Rent Daies are past since I had anie perfect accompt from my receyvors neither can I tell howe to redresse it, except I should enter into some severe course with the poor men, which I am very loth to doe.<sup>2</sup>

The refusals to contribute to the benevolence in 1613 are a pointer to the new attitude taken by the tenants. A majority of those who refused, twenty-six out of thirty-six, were Ribblesdale tenants who had taken long leases under the 3rd Earl. Seventeen of them were in Settle. Of the remaining ten, three were tenants on other Percy manors, four on the former Norton's estates and only three on the Clifford Fee manors.<sup>3</sup>

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1. Althorp, Cumberland Papers, 16th November 1612.
  2. Althorp, Cumberland Papers.
  3. Londesborough MS. E/2.

The changes in tenure and in status were not confined to the Cliffords' Craven estates. The manor of Kettlewell, forfeited to the Crown in 1569 by the Earl of Westmorland, was alienated to the tenants in a similar fashion to the Cliffords' manors.<sup>1</sup> So were the former estates of Fountains Abbey at Kilnsey and Coniston<sup>2</sup> and the township of Hebden.<sup>3</sup> There were also long leases at Thorpe.<sup>4</sup> Kettlewell, Coniston, Hebden and Thorpe were four of the five manors not owned by the Cliffords in the valley of the Wharfe from its source in Langstrothdale to Ilkley, the first town on it, in the south.

It was, however, the comprehensiveness, numerical and geographical, of the grants on the Cliffords' estates that made this period the most decisive in the formation of the social and economic patterns of Craven life. For these grants created numerous independent proprietors, the famous "statesmen" or yeomen of the Craven dales.<sup>5</sup> The Long Preston statesmen, of whom there were many, were described in the early eighteenth century as being divided into two classes, "great and little statesmen, the former of whom consider themselves as among the first personages of the world". They were, it was said, involved in endless debate and litigation and "being proud from

1. Whitaker, 563.

2. Ibid. 532-5.

3. Ibid. 500.

4. Tempest MSS. Burnsall Deeds, Box V.

5. Whitaker, 532.

independence, and obstinate from extreme ignorance, it was almost impossible to compose their differences<sup>1</sup>".

That independence of spirit has long been a part of the tradition of the Craven dales-folk. But if the Cliffords gave many of their tenants independence, they also made them prosperous. The low reserved rents which bore little relation to the value of the holdings left the tenants a far higher margin of profit than economic leases or even the old beneficial leases would have given them. For many, also, participation in the rapidly increasing wool trade was a second source of profit.<sup>2</sup> The prosperity of these independent proprietors on the Clifford estates was expressed in the time of James I, Charles I and Charles II<sup>3</sup> in the building of houses with stone walls and slated roofs. The replacement of the wooden crucked houses by the stone buildings which are still standing was, as Dr. Raistrick has written, "the mark of a great social revolution".<sup>4</sup>

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1. Dawson, Loose Leaves of Craven History, 2nd ser., Ch.XXIII.
  2. A. Raistrick, Malham and Malham Moor, (Clapham, 1947), 14.
  3. Whitaker, 528.
  4. Raistrick, op.cit. 25.

CHAPTER XIICONCLUSION

The Cliffords were nobility of long standing with a distinguished if turbulent history when the 11th Lord was created Earl of Cumberland in 1525. They were typical not of the new Tudor creations but of the old-established nobility whose support of the Lancastrian cause was to earn them special consideration under the early Tudors. Their earldom was one reward for devotion and service to the Tudors: the grant of Bolton and other manorial properties in 1542 was the second. This grant, the Cliffords' gain in what has been termed the<sup>1</sup> acquisitive period of the Tudor aristocracy, was the final consolidation of the large estates which the Cliffords for almost three centuries, from their ennobling in 1299 until the 3rd Earl came of age in 1579, built up and concentrated in the north of England.

The Cliffords thus reached the height of their wealth and prestige in the middle years of the sixteenth century. The last phase in their history, the sixty years between the 3rd Earl's accession in 1579 and the death of the 5th Earl in 1643, was one of decline and disintegration under the stress of great

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1. L. Stone, Ec.H.R., xviii, 2.

difficulties. This decline in the Cliffords' fortunes came in an age of great social change when other sections of the community individually and collectively began to outstrip in wealth and prominence the established Elizabethan nobility.<sup>1</sup> The Cliffords' decline was a symptom of that change as it was not less a contributory cause.

It is difficult because of the lack of reliable information on the incomes of the nobility and great gentry to assess accurately the extent of the decline in the Cliffords' fortunes. The available evidence suggests that under the last three Earls the Clifford inheritance not only failed to keep pace with the rising wealth of many peers and a numerous and varied class of commoners, but by 1646 had shrunk appreciably in comparison with its value in 1579.

In actual extent the Clifford estates depreciated only slightly in the period 1579 to 1646. The number of manors held in 1646 was approximately the same as in 1579.<sup>2</sup> The significant change was not in the size of the estates but in

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1. Mr. Trevor-Roper has dealt with this question at length in "The Gentry, 1540-1640", (Ec.H.R. Supplement I, 1953).
  2. Fifty-three compared with fifty. For details of the manors held in 1579 see infra, Appendix I.

their value.<sup>1</sup> In 1579 the 3rd Earl's inheritance was one of the richest enjoyed by the higher Elizabethan nobility. By 1602, as a result of his early sales, the income from his properties was already (if a contemporary estimate can be accepted) below the average income of the Earls considered as a group, though still above that enjoyed by the majority of late Elizabethan peers.<sup>2</sup> In the next three years, the 3rd Earl's sales lowered his Craven rental alone by a further £300 and seriously limited the future income from entry fines. The inheritance recovered for a brief period after the 4th Earl's accession in 1605, benefiting from the addition of his property and the manors granted by the Crown. The deterioration in the value of the estates, however, began again in 1611 and it continued throughout the 4th Earl's career. In 1646 the receipts, both gross and net, were not substantially higher than in 1602, before the 3rd Earl began his sales, despite the rise in the rental resulting from the change-over to economic rents.<sup>3</sup>

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1. It would be misleading to equate the value of the Cliffords' possessions in the 17th Century with the number of manors held, for their estate policy left them in nominal control of many manors that contributed little or nothing to the estate revenues. (see *supra*, Chapter XI). For a general comment on the doubtful validity of estimating the value of estates by counting manors, see J.P. Cooper, *Ec.H.R.*, 2nd ser. viii, 377.
  2. The 3rd Earl's gross estate income in 1602 was probably £4,300; the net income, after deduction of rent charges only, £3,900. Thomas Wilson estimated the average rental of the 19 Earls and one Marquis in 1600 at £5,000 and that

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In contrast, other members of the nobility enlarged their estates and increased their landed incomes strikingly in the early seventeenth century. A comparison of the 4th Earl's income in the last decade of his life with the known incomes<sup>1</sup> of other peers in Charles I's reign suggests the extent of the Cliffords' decline in prosperity. The total of twenty-four peers is far from complete, but of these seventeen were wealthier than the 4th Earl. More revealing, however, is the fact that three of the peers had four times, five others more<sup>2</sup> than twice his income from land.

Even if outstripped by many of the nobility and some of

references 2 & 3 continued:

- of the 39 Barons and 2 Viscounts at c.£3,000 (The State of England 1600, ed. F.J. Fisher, (Camden Miscellany, vol. xvi, 1936), 22). Mr. Stone, however, puts the average landed income of the late Elizabethan peers much lower, at £2-3,000 (Ec.H.R., 2nd ser. iv, 304).
3. In 1646 the gross income was c.£5,500, the net income c.£4,500. The Earl of Cork, on whom almost all the rent charges fell, was paying out in 1646 £1,018 in rent charges on his Yorkshire estates (Londesborough MS. E/9).
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1. His gross receipts averaged £4,850 p.a.; net receipts £4,100. The receipts from fines for long leases are included in these figures.
  2. The incomes of 23 peers are given in Trevor-Roper, "The Gentry, 1540-1640", (Ec.H.R. Supplement 1), 54-5. For the income of the other peer, the 9th Earl of Northumberland, see G.R. Batho, Ec.H.R., 2nd ser. ix, (1957), 442.

the greater gentry the Cliffords, it must be emphasised, remained important landowners. At the 5th Earl's death in 1643 their wealth in land, diminished though it was, was still impressive.<sup>1</sup> Were the fall in estate revenue the only factor to be considered in their declining fortunes, it could be argued that the damage to the inheritance, though great, was neither excessive nor permanent. There was, however, a second factor. This was the debts.

The 4th Earl himself declared to his son in 1617, "My cheifest care is to leave yo' a good and free estate. When the debts and portions are payed, yo' maye lyve plentifully".<sup>2</sup> But the debts were not paid and in assessing the decline in the fortunes of the Cliffords they cannot be discounted, for they were the continuous liability against which the decreasing value of the estates must be set. The 3rd Earl had assumed in 1605 not only that his debts would be paid but that the inheritance was still rich enough to provide in addition a £15,000 portion for Lady Anne. Such a gesture, generous as it was wishful, the 5th Earl forty years later could not contemplate. For him there was neither optimism nor generosity.

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1. The average net income of 41 peers investigated by E.L. Klotz and G. Davies was £2,020 per annum (E.H.R., Lviii, (1943), 217-9). These did not include the wealthiest peers listed by Trevor-Roper (see previous footnote).
  2. Whitaker, 369.



"With anguish of soule", he wrote in his will,

I bewaile the miserable condicion of my decayed fortune,  
which disables me to give any present supplye to my  
distressed and deare daughter, the Lady Dungarvan .....  
...And since I am debarred (by my greate debts) from  
givinge them any valluable legacyes, I doe onely bequeath  
sum small legacyes to my ould and faithfull servants. <sup>1</sup>

The real condition of the Cliffords' fortunes was concealed after the 5th Earl's death by the division of the estates. Neither the Earl of Cork nor Lady Anne was exclusively dependent on the Clifford estates for their landed wealth as a male heir would have been. Moreover, Cork possessed the means, which the 4th and 5th Earls never had, to meet the Cliffords' outstanding debts. A 6th Earl of Cumberland, inheriting the debts as well as the estates, would have been compelled to sell land on a big scale to clear them and thereby would have reduced the value of his property even further. He would have had to be content with a position inferior to that of his predecessors; for the Clifford inheritance which sixty years before had been one of the wealthiest in the land would then have been too small to place him in the ranks of the greater landowners.

The Cliffords in the period 1579 to 1646 exhibit most, if not all, of the problems likely <sup>2</sup> to beset a noble family and cause a fall in its prosperity: the extravagance of one Earl,

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1. J.W. Clay, Y.A.J., xviii, 398.

2. Professor Habakkuk has discussed in general terms the more  
/contd.

the incapacity of his successor; a legacy of great debts, a weakened estate and an inheritance dispute; the inability to compete for offices because of declining fortune and prestige. Ultimately, the decisive factor was the sudden decline in the fertility of the main line of the Cliffords, first evident in Sir Ingram Clifford, which brought to an end the succession of father by son uninterrupted since the 1st Lord Clifford was raised to the peerage in 1299. The inability in the first place of the 3rd Earl to provide a male heir who survived him was responsible for a long, complicated and costly inheritance suit which dissipated the resources of the family at the height of its financial difficulties. This disturbance was followed only a generation later by the extinction of the male line, the end of the house of Clifford that had endured as nobility for the unusual length of nearly three hundred and fifty years and the partition of the inheritance between the daughters of the 3rd and 5th Earls.

The fall in prosperity and prestige which the Cliffords experienced in the last phase of their history was largely the result of the 3rd Earl's career and he must be held responsible

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reference 2 continued:

important causes of changes in the fortunes of landowning families in his preface to Finch, Five Northamptonshire Families, xi-xix.

for it. In his lifetime, it is now generally accepted, the adverse effects of the price revolution on landed incomes were at their worst.<sup>1</sup> For landowners to weather this inflationary storm, excessive debts had to be avoided and estates carefully managed. The 3rd Earl ignored both these maxims and his career exemplifies the consequences.

The Earl ran up huge debts and the manner in which he did so was characteristic of the man and of his age. He was a courtier who dissipated his fortunes by indulging in the fashionable extravagance of his time. He eschewed his ancestral homes and estates in preference for the more costly living of London and the south. He spent heavily on clothes, sports and gambling. His greatest indulgence, however, and the principal cause of his indebtedness was his privateering career. Privateering was a brief if brilliant phase in England's maritime history. By investing in and leading privateering expeditions the 3rd Earl satisfied his desire for adventure and service to the state. In doing so, he risked and lost his family's fortunes. Despite the Crown's grants of land and a cloth licence as compensation for his losses in serving the state, at the Earl's death large debts remained unredeemed and he had been able to reduce them only by raising cash from his estates.

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1. Cf. J.P. Cooper, Ec.H.R., 2nd ser. viii, 388.

The 3rd Earl's debts were one legacy to his successor; a weakened estate was a second. For the greater part of his life the Earl was necessarily an absentee landlord. At a time when he ought to have been, in the interests of the inheritance, carefully husbanding his estates, he was both neglecting them and using them purely as a source of cash. As a result, the Earl got rid of much land in the least favourable period for selling and sold more in the years 1602 to 1605 before land values had reached their peak. The wise and the fortunate bought land at this time and borrowed to invest in land not, like Cumberland, to waste on extravagance and fruitless privateering.

Since the Earl was obsessed with other pursuits, it is not surprising that there is no sign that he appreciated the need for efficient estate management until, perhaps, at the close of his career. Whereas short leases and economic rents were necessary if the estate revenues were to keep pace with the rise in prices,<sup>1</sup> the Earl made little effort to alter the traditional beneficial leases on his main Craven estates. The only important change that did take place was the granting of long leases; and such a policy was the antithesis of good estate management.

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1. Mr. Stone has stated that the "pressure of the price revolution could be avoided only if leases were granted for periods of not more than seven years." (Ec.H.R., xviii, 19).

When the Earl returned to his estates in 1602, it was both too late and for the wrong purpose. His presence was necessary not to modernise his estate practice but to convert his landed capital into cash by sales and long leases in order to raise the vast sums he required to satisfy his creditors. It is true that he now began the development of the mineral resources of his estates; but it was fashionable to do so, the profit as yet was small and the advantage immaterial compared with the immense damage he had done to his property.

The Earl was also responsible, though not to the same degree, for the inheritance dispute, the third major problem which he bequeathed to his successor. His estrangement from his wife, always a possibility because of the circumstances of their marriage, and the blunders of his legal advisors made the question of the inheritance, at best a delicate matter, almost intractable. His decision to pass over his daughter and make his brother custodian of the Clifford fortunes was a wise course in view of the burdens which would fall on his successor. Yet the dispute over the inheritance that followed merely added to the difficulties of which it was, in part, a product.

The 4th Earl, without doubt, was ill-equipped to bear the responsibility thrust upon him. By his own confession he was "unlearned in the Lawes of this Realme" and could not "reade<sup>1</sup> or understand any lattyn conveyance". Lady Anne reported

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1. Appleby MS. Box/3.

to her mother in 1616, not for the first time, that she had been

credibly told that he is sometimes besides his wits, but that his son does what he can to conceal it, lest his father should beggar him, for his credit is much decayed at the Court, because his purse is much decayed.<sup>1</sup>

The Earl's intentions were always praiseworthy. He was aware of the burdens on his estate and eager to accept advice on how to improve his fortunes. His failing was not indifference but indecision. He was capable of contemplating what should be done, but not of performing. He was already past his prime when he inherited the estates and had never possessed the 3rd Earl's physical and mental energy. The placidity in his disposition was not the ideal quality for repairing the damage done to the inheritance by the restless nature of his elder brother.

It was fortunate for the Earl that he was well served by able officers. John and Stephen Taylor appear to have been men of outstanding ability. In practice, it was upon John Taylor rather than the Earl that the duty of protecting the Cliffords' interests in London devolved. Not only did he toil for most of his life in fulfilling that duty. He had to endure the clamour of creditors that, rightly, should have been directed against the Cliffords and also from London had to prompt, not always deferentially, the Earl's official actions on the Border

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1. G.C. Williamson, Lady Anne Clifford, 147.

between 1606 and 1611. Of John Taylor's tribulations, some indication has been given above. Besides him, other officers were often under considerable strain in carrying out their duties, particularly in the earlier part of his career. In 1614, William Taylor opened his heart to the Londesborough Steward, Thomas Littell,

I pray god send us our Accompt finished that I might be shutt of all, money is so scarce and yts evill for me to please everie one in disposing that which Comes in, which makes me wearie of that office. 1

In the following year, Roger Sotheby refused to remain in the Earl's service any longer after being deputy Steward at Londesborough for eighteen months, the Steward having been continuously absent from the house all that time.<sup>2</sup>

The Earl's officers, it is clear, were gravely handicapped in managing his affairs by lack of firm direction from him, especially during the first vital decade of his tenure of the estates when Lord Clifford was still too young to share the burden. Nevertheless, whatever the Earl's deficiencies, it would be an injustice to him if the complexity and magnitude of his difficulties were underestimated. For more than ten years, it must not be forgotten, his possession of the estates was disputed and uncertain. Throughout that time, and long after, the debts presented an enormous problem which would have taxed the resources of abler men than he.

1. Althorp, Cumberland Papers, 8 Dec. 1614.
2. Bolton MS. Bk. 189 f.1a.

The Cliffords' experiences are indeed an example of the disastrous effects that excessive debt could have on the finances and ultimately the fortunes of a noble house. The debts, in the first place, were far too large to be manageable, even though the Cliffords had to begin with capital resources greater than most of their rank. The 3rd Earl's debts in 1602 were, as stated above, at least £80,000, possibly even £120,000. By selling land, using the profits from the cloth licence and other sources of income, the Cliffords reduced those debts by 1613 to £18,000: a total which would still have appeared formidable to their contemporaries. Four years later, in 1617, when over half those debts were still unpaid, the 4th Earl was faced with a second major burden. He had to raise on loans the £17,000 granted to Lady Anne by the King's Award in lieu of the portion bequeathed to her by the 3rd Earl. From these new debts, as well as others incurred by the 4th Earl, the Cliffords were never completely freed.

Besides the sheer size of the debts, a second factor affected the Cliffords' finances, namely the need to pay interest on them. A large part of the 3rd Earl's debts and all the 4th Earl's were at usury. With interest fixed legally at ten per cent, lending was a lucrative proposition and by this time, indeed, a recognized business practice. But for those in debt, like the Cliffords, the payment of interest at that rate could be, and for the Cliffords was, ruinous. In one year, 1621, the 4th Earl paid as much as £1,700 in interest alone.<sup>1</sup>

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1. See supra, Table H.



Moreover, the debts at usury in general had greater security and could not often be escaped: others might be repudiated with impunity and by the Cliffords certainly were. The reduction of the rate of interest legally charged to eight per cent<sup>1</sup> helped the Cliffords only slightly, for they had incurred their major debts before that time; in the period, in fact, when a high interest rate was yet another reason why heavy indebtedness was to be avoided.

The debts, however, were not the only source of the 4th Earl's financial troubles. There was at all times a disparity between the ordinary estate revenues and the expenses of the household, with the expenditure exceeding the revenues by a substantial margin. Thus, not only was there no surplus from the estate income to supplement the profits of the cloth licence in the redemption of the debts and the payment of interest but the Cliffords' living costs could only be met by continuous deficit<sup>2</sup> financing. To maintain the estate revenues at an artificially high level and limit the annual deficits, there was constant liquidation of the estate capital by grants of long leases and every two or three years additional conversion of

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1. 21 Jac.I c.xvii (Statutes of the Realm, iv, 1223).
  2. There is a striking similarity between the state of the 4th Earl's finances and royal finances in the same period. Cf. R. Ashton, "Deficit Finance in the Reign of James I", Ec. .R., 2nd ser. x, (1957), 15-29.

capital to cash by sales or leasing in order to reduce the new debts which even then inexorably accumulated. A fall in the 4th Earl's total income, as when the yield from the cloth licence decreased in the first year of the Cockayne experiment, or an increase in household costs, such as the legal and soliciting expenses during the cloth licence and inheritance disputes, meant that the redemption of the debt was curtailed since it was the item of expense that could be evaded with least trouble.

The major financial crisis of the 4th Earl's career came in 1627. Then, because his lease of the cloth licence had ended and because, for a variety of reasons, he had been unable to clear the big new debts incurred as a result of the settling of the inheritance suit, he could not pay even the interest on his remaining debts, let alone repay the principal. To reduce the debt and the heavy drain of interest, he was compelled to sell the Border lands - the most important sale of property in his career. Even this did not clear the debt and by lowering his estate revenues it helped to perpetuate the disparity between his income and expenditure. The pattern of deficit financing, further borrowing and steady liquidation of the estate capital continued up to the outbreak of the Civil War.

Although the 4th Earl could not escape the main burdens on his finances - the 3rd Earl's debts and the loans raised to pay the £17,000 portion to Lady Anne with their crippling interest rate - he clearly contributed to his difficulties by failing to give to his affairs the strict management their

condition warranted. Lower expenditure and higher revenues, the one attainable by a retrenchment in the costs of the household, the other by progressive estate management, would have helped the Cliffords if not to recover their lost fortunes then to arrest the precipitate decline. Both their effort and achievement in these matters fell short of what their financial situation demanded.

The Earl often expressed a desire to cut down his living costs but there is no evidence that the desire was ever translated into fact. He was, it is true, virtually committed to running two households, his own and Lord Clifford's, yet the cost of his establishments would have been beyond the resources of lesser noblemen than he. For that reason, a strict economy in his living expenses was not only desirable but, it would seem, also possible. By 1630 the household costs had fallen to some extent but mainly because of the Earl's advancing age and infirmity. In the 1630's there was also a reorganization of the household under the Secretary. This was a necessary step although its value in terms of saving expense is doubtful. Lord Clifford's was the main establishment after 1630. He does not appear to have inherited from his father even the desire to economise in his living.

The 4th and 5th Earls were thus, like the 3rd Earl though not to the same degree, guilty of living above their means although their resources were continuously overstrained because of their debts. Their record in estate management,

however, was rather better than his. Their tenure was notable for the exploitation of the natural resources of Craven, the first stage in the conversion to a modern method of renting and valuable work in integrating the backward areas of the Border lands into the economic and social system of Stuart England.

In view of the 3rd Earl's spoliation of the estates these advances were commendable. Nevertheless, the general tone of the 4th Earl's estate policy was the continuing depreciation of the estates by sales and grants of long leases. Moreover, the introduction of some features of up-to-date estate management was on only a limited scale and the most revolutionary change, the granting of short leases at economic rents, was essentially a compromise for tenants were allowed a choice of the traditional leases and entry fines or the new tenures. The Cliffords, always in need of cash, were admittedly in a difficult position for introducing new and possibly unpopular forms of tenure. Their successors, Lady Anne and the Earl of Cork, were able to supply the ruthlessness that the situation demanded and which they either could not or would not supply.

It was to their estates that the 3rd and 4th Earls turned for most of the cash they required to meet their commitments. Between 1579 and 1640 they raised at least £126,000, perhaps much more, from their property, in addition to their ordinary yearly revenues. This much, to stave off imminent bankruptcy, they were able to do for themselves at the expense of their

erstwhile rich inheritance. They could, and did, look to outside sources for other much needed sums. From the Earl of Salisbury came £6,000 as dowry for his daughter and he also helped to pay the expenses of Lord Clifford's grand tour of France. Though this windfall was later offset by the dowries the 4th Earl himself had to pay to Wentworth and Sir Gervase Clifton, he had as a result of their connection with him the benefit of the backing of their sound credit (they acted as sureties for his debts on many occasions)<sup>1</sup> and of Wentworth's service in persuading Charles I to honour his obligations.

Yet, pecuniary aid on the scale the Cliffords required to bolster their tumbling fortunes could only come from the guardian of the commonweal, the Crown itself. That aid took the form of grants of land and, principally, the licence to export undressed cloths. This licence, which the Cliffords held from 1602 to 1626, is an example of a source of income granted by the Crown to rescue a nobleman from financial ruin, not merely to enrich him. It contributed ~~£~~55,000 to the 3rd and 4th Earls' coffers.<sup>2</sup> Without it, the 4th Earl would have had the choice of repudiating the debts or sacrificing the greater part of the inheritance to his creditors. To have sold land on the scale necessary to clear the debts would have reduced him to the rank of a minor landowner.

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1. Londesborough MSS. D/2, 3.

2. Cf. Table F.

During their tenure of the cloth licence the Cliffords' own interest was closely interwoven with the fortunes of the trade in the export of cloth. Their profits, which depended on the export of a large number of cloths more than the 30,000 the Merchant Adventurers carried on their own licence, were at the mercy of fluctuations in trade to a greater extent than the Merchants' own trading profits. There was in the terms of the licence that the 3rd Earl procured in 1602 an element of risk absent in earlier grants of cloth licences and in most offices of profit held at that time.

For twelve years prosperous trading conditions gave the Cliffords high profits from the licence. In this period, indeed only in this period, did the 3rd and 4th Earls have the satisfaction of seeing their private interests promoted when identified and merged with the nation's. This "steady gale of good fortune", so wanting earlier in the 3rd Earl's privateering, lasted until 1614. Then the depression which hit the cloth trade during and after the Cockayne project inevitably effected the Clifford's profits. They could, nevertheless, count themselves lucky that because of firstly the Crown's guarantee and then a new arrangement with the Merchant Adventurers their profits did not cease altogether.

The Cliffords held the licence for a generation, but they were unable to turn it into a permanent family holding. Its loss in 1626 without gaining a new grant to replace it (unlike

the Duke of Lennox to whom the licence was given) led to a crisis in their finances which could only be overcome by selling the Border Lands, a valuable part of the estates which by strenuous efforts had been raised from almost worthless land to a rich source of profit.

Any hopes the 4th Earl may have cherished of retaining the licence after an unprecedented tenure of twenty-five years could only have been illusory. Such licences were in great demand and few men had the influence at court to compete with the Duke of Lennox. Yet the Cliffords' loss on this occasion was both a result and a sign of the fall in their prestige. The 4th Earl was the first of the Cliffords since their elevation to an earldom to neglect the court. This was due in part to increasing age, since he had frequented it earlier in his career, but equally perhaps to a desire to avoid the heavy expense of London life which his constant attendance at court would have entailed.

The question of whether to gamble that heavy expense against the possibility of gaining offices and other favours was one that most courtiers would heed to ponder. The 3rd Earl, as was his nature, had taken the risk and won the cloth licence by his tenacity. The 4th Earl abjured the risk. He could not, in any case, have expected to gain a second grant whilst he held the licence. Yet, by his absence he lost the licence his brother had won, for in 1622 he was faced with a fait accompli - the reversion had been granted to Lennox. This

was, however, the first instance that his interests had suffered despite his absence from court, even though they had been seriously threatened in the previous decade. Significantly, this was the first time that the 4th Earl had lacked influential friends at court. Until the early 1620's there had been Salisbury to plead his cause or Bacon and Calvert, amongst others, to earn his rewards. The loss of the cloth licence and the shabby treatment over the question of compensation for the diminished profit from the licence three years later came when the Cliffords' influence was at its lowest.

Though it would be unfair to see in this yet another aspect of the 4th Earl's deficiencies in character, there is no doubt that the prestige of the Cliffords after 1605 depended less on the 4th Earl's personality than on that of his august elder brother, whose friends remained impressively loyal to the family to the end, and also of his children who in Wentworth, Clifton and Calvert engendered an affection and loyalty no less strong. Yet it is clear from what Lady Anne said that the Cliffords owed their loss of prestige at court primarily to their loss of wealth. In such circumstances they became victims of a vicious circle, all too familiar a feature of competitive court society. Impoverishment brought in its wake a loss of the prestige without which there could be little prospect of obtaining the rewards and favours that alone could restore fallen fortunes.



The Cliffords' is a specific case of rapid decline after achieving in centuries of steady progress the highest social and economic status. Their decline must not be regarded, however, solely as the private affairs of one noble family. The break-up of an institution of great wealth, which the Clifford inheritance in its economic aspect was, inevitably had important social consequences. Many individuals from all sections of the community gained as a direct result of the fall in the Cliffords' fortunes. They profited in general from the 3rd and 4th Earls' constant need for ready money, which they helped to provide in two ways; by lending at interest and by purchasing lands and leases which the Earls offered for sale.

Three groups in particular prospered as a result of close contact with the Cliffords; the influential City merchants and lawyers, the landed gentry, especially within Craven, and the Cliffords' own tenants. The first group, undoubtedly, was experiencing at this time a rapid rise to prosperity. Their association with the Cliffords and with the 3rd Earl in particular reveals the kind of activities by which they achieved that prosperity; in this case at the expense of a long-established noble family. The landed gentry, too, as a class but more particularly as individuals were the beneficiaries in a national shift in the balance of landed wealth and power. Within this context, the decline of the Cliffords may be thought of as a

significant contribution to that shift. However, it was not the landed middle class as a whole, nor any one section of it, which benefited from the Cliffords' decline, but individuals within the class and they ranged in wealth and social standing from minor local gentry<sup>1</sup> to big landowners with ubiquitous interests. They can be regarded, nevertheless, as a representative cross-section of the amorphous mass of the country gentry.

There were social consequences also in those localities where the Cliffords had for so long been dominant. Their tenants in general gained from the estate policies the Cliffords were compelled to adopt. All sections benefited in some degree: even the poorest raised their status, though inevitably the wealthiest profited most. However, there was one factor which restricted the extent to which certain tenants could benefit. By the terms of the King's Award, the Cliffords were allowed to grant in the Skipton group of manors a limited number only of the long leases that conferred virtual independence on the tenants. In all the other Craven manors the establishment of an independent and prosperous class of "statesmen" was to have a permanent effect on the structure of Craven society and hardly less important was the higher status that the majority of the Cliffords' other tenants enjoyed by 1643.

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1. Whatever the condition of the 'mere gentry' elsewhere in England, on the Craven estates they flourished under the last three Earls. They bought much valuable property and though they did so near the peak of land values they had previously gained from holding the property on beneficial leases.

The Cliffords' tenants, the landed gentry, the established lawyers at the Inns of Court and the important City merchants - these were the people whose fortunes prospered by the disintegration of the Clifford inheritance. Three noble families, too, gained as a result of the failure of the male line of the Cliffords. The Earl of Dorset received £17,000 as a reward for his judicious marriage with Lady Anne. The residue of the Clifford estates was eventually absorbed into the property of the Tuftons, Earls of Thanet, a more recent creation than the Cliffords, and the Earls of Cork, already the greatest of the Irish nobility who now obtained an interest in England.

Yet, it was in the localities, amongst those families which had been as tenants for generations largely dependent on the Cliffords, that the decline of the Cliffords was most important and its effects most lasting. For although the Cliffords' decline was a specific and significant contribution to the rise of the gentry and City groups, that rise was itself a national trend which would have taken place whatever the fortunes of the Cliffords in this period. But, had it not been for the 3rd and 4th Earls' financial difficulties, the independence that came to many of their tenants would most likely have been denied them, as Lady Anne's actions later demonstrated. Henceforth, the tenants were to share with the noble inheritors of the estates the Cliffords' motto which still surmounts in stone letters the main gateway of Kipton Castle, DESORMAIS - "Henceforth".

APPENDIX IThe Clifford Inheritance in 1573 and 1579

- (a) The Feodary Survey of George, 3rd Earl of Cumberland 1573. (P.R.O. Wards 9/140 ff.291-4).

In this summary of the Survey, only the essential details of the Cliffords' possessions and their values are given. The names of the manors have been modernised and the order slightly changed so that all the Yorkshire property is grouped under one heading.

Yorkshire

1. The Manor of Skipton with the advowson of the parish church of the Castle of Skipton, the manors of Gargrave, Silsden with Howden grange, Barden, Stirton & Thorlby with the grange called the Holme, Elso and Crookrise, Embsay, Eastby, Cononley, Scosthrop, Carleton, Lothersdale, Bradley, Litton, Woodhouse cum Appletreewick, Cracoe, Settle, Giggleswick, Long Preston, Gisburn and Langstrothdale with appurtenances in Skibden alias Skibeden, Malham, Newhall, Cowling, Glusburn, Utley and Herton, and the advowson of the parish church of Marton in Craven, of Keighley and of Burneby.

in all charges the yearly value is: - £851.15.0½

whereof in Reprises 172. 2.4

and so by year .....£679.12.8½

2. The Manors of Eastmarton, Westmarton, Bolton in Craven, Halton, Storithes, Hazlewood, Littondale, Arncliffe Cote, Grassington, Londesborough with the advowson of the church of Londesborough, Welham, Sutton, Broomfleet, Maltby, Weighton, the third part of the Castle and Manor of Malton and appurtenances in Hutton, Rotherham and Draughton and £84 rent in Brompton with the members thereof.

by year above all charges .... £413. 4. 3 $\frac{1}{2}$

Sum Total in the county of York £1,092.17.0

3. The Reversion of the Manors and Lordships of Cowthorpe, Bickerton, Nesfield and West Hall and the Moiety of the Manors of Grassington, Steeton, Idle, Studley and Snaith, at present held by Sir Ingram Clifford.

4. The Reversion of the Manors of Sawdon, Snainton, Troutsdale, Ayton, Ruston, Rillington and Wykeham, at present held by Sir Ingram Clifford.

#### Westmorland

The Manors of:-

Mallerstang, by year	£41.12.11 $\frac{1}{4}$
Kirkby Stephen	27. 9. 0 $\frac{1}{4}$
Winton	32.13. 7 $\frac{1}{2}$
Sowerby	23.19. 3 $\frac{1}{4}$
Brough over and nether with £4.15.2 for the issues of one corn mill	35.15.10 $\frac{1}{2}$
Stainmore Castle with £5.18.0 for the issues of one corn mill and £8.19.2 for the herbage and pasture of Newhall grange	121. 9.10

Stainmore South with £5.8.0 for the profit of one coal mine there	37.4.11
Appleby with Skattergate and Burrells	21. 3. 3
Bondgate with South Field	41. 4. 6
Kings Meaburn	28. 5. 11
Brampton	5. 0. 0 <sup>11</sup> / <sub>2</sub>
Knock with £5. 0. 0 rent of Fenfield	24. 7. 8
Morehouses with Horneby and Woodfield	17. 4. 6
The rent of a tenement in Burton and Helton	7. 4
Certain lands and tenements in Langton	12. 19. 6
The demesne lands of Burham with £28.0.0 for the coney warren and £11.16.8 for a corn mill	40. 5. 8
Certain lands and tenements in Whinfell Forest old park	21. 0. 0
Whinfell out park with certain Turbary	16. 0. 0
The Free rents of all Westmorland called Cornage and Serjeant Oats	51. 5. 7
Certain lands, tenements and rents in Milburnfell and Sandfordwood	2. 18. 2
Sum Total of all the rents in Westmorland	£602. 6. 10
whereof to be deducted in fees and annuities	£20. 13. 4
for Rents	1. 8. 0

And so Remaining clear ..... £580. 5. 6

Cumberland

### The Manors of:-

Skeiton	£14. 3. 6
Lamonby	7.12. 4
Carleton with Penrith	2. 9.11 <sup>1</sup>

Sum Total                    £24. 5. 9½

## Northumberland

The Reversion of the Manor of Hart and Hartlepool which Sir Ingram Clifford knt holdeth for term of life only, by estimation £120. 0. 0

## The City of London

The Rent of Cliffords Inn                      £4. 0. 0

Sum Total      £1,821. 8. 3½

(b) The Inheritance of the 3rd Earl and Francis Clifford  
1579

The details of the property inherited by the 3rd Earl and by Francis Clifford have been compiled from three sources; the inquisitions post mortem of the 2nd Earl of Cumberland (Wards 7/13/54 and 53) and of Anne, Lady Clifford, wife of Sir Ingram Clifford (C 142/160/51) and the Feodary Survey of the 3rd Earl.

1. The 3rd Earl's Inheritance.

Yorkshire

The manors of:-

Skipton	Giggleswick
Gargrave	Long Preston
Silsden with Howden	Buckden
Barden	Starbotten
Stirton & Thorlby	Langstrothdale
Elso and Crookrise	Eastmarton
Embsay	Westmarton
Eastby	Bolton in Craven
Cononley	Halton
Scosthrop	Storithes & Hazlewood
Carleton	Littondale with Arncliffe
	Cote
Lothersdale	Grassington
Bradley Over and Nether	Nesfield
Litton	West Hall
Woodhouse cum Appletreewick	Maltby
Cracoe	Cowthorpe
Settle	Bickerton

The moieties of the manors of:-

Steeton  
 Idle  
 Studley  
 Snaith

Lands in:- Skibeden, Malham and Newhall, Cowling, Glusburn, Utley, Herton, Hutton, Rotherham and Draughton.

Total:- 34 manors, the moieties of 4 manors, with other property.

Westmorland

The manors of:-

Mallerstang  
 Kirkby Stephen  
 Winton  
 Sowerby  
 Brough  
 Stainmore Castle  
 Stainmore South  
 Appleby  
 Bondgate  
 Kings Meaburn  
 Brampton  
 Knock  
 Morehouses

Lands in:- Burton and Helton, Langton, Burham, Whinfell Forest  
 Milburnfell and Sandfordwood.

The Free rents of Westmorland: Cornage and Serjeant Oats.

Total:- 13 manors, with other property.

Cumberland

The manors of:-

Skelton  
 Lamonby  
 Carleton with Penrith

Northumberland

The manor of Hart and Hartlepool

The City of London

Cliffords Inn

Total of the 3rd Earl's Inheritance:- 51 manors, the  
 moieties of four manors, with other property.



## 2. Francis Clifford's Inheritance.

### Yorkshire

n.b. Francis Clifford held this property for the term of his life only, with reversion to the 3rd Earl.

The manors of:-

Londesborough  
Weighton

The moiety of the manor of Welham and Sutton, the third part of the Castle and manor of Malton, with lands in Broomfleet and £84 rent from Brompton.

### Derbyshire

The moieties of the manors of:-

Wormhill  
Wheston alias Iveston  
Tideswell  
Flagg  
Martinside  
Combs  
Betfield  
Hardlow  
Chelmorton  
Wardlow  
Castleton

Haslop alias Hassop  
Pilsley  
Edensor  
Darley  
Calton cum Lees  
Bakewell  
Stanton  
Chaddesden  
Herbenger Meadow  
Spondon  
Broughton

### Nottingham

The moieties of the manors of:-

Renalton  
Duffield  
Woodhouse

Total of Francis Clifford's Inheritance:- 2 manors, the moieties of 26 manors, with other property.

APPENDIX IIThe Cloth Licence1. The 4th Earl's Income from the Licence

The 4th Earl's annual receipts from the licence to export undressed cloths have been given above in Table F. Since the figures were obtained in various ways from several sources and since, moreover, they are the basis for calculating the totals of cloths exported annually by the Merchant Adventurers,<sup>1</sup> they require detailed explanation here.

The main source for the receipts is the accounts of John Taylor, the Earl's London agent. Taylor's accounts have survived for ten of the twenty-one years in which the Earl held the licence. They cover the period 1613 to 1626 but are not extant for four of those years, 1614, 1616, 1617 and 1625. The figures of the Earl's receipts obtained from the accounts have been given in Table E.

The Earl's receipts in 1606 and 1614, two of the years not covered by Taylor's accounts, can be calculated from the figures of cloth exports derived by Miss Friis from the London Port Books which, fortunately, have survived for those years. In 1606, the total exports of 76,124 cloths

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1. See Table I.

included 46,124 on the Earl's licence.<sup>2</sup> At the prevailing price of 2/2d per cloth, the Earl's gross receipts would have been £4,996.15.4. In 1614, 71,539 cloths in all were exported, with 41,539 on the Earl's licence.<sup>3</sup> After 1612 he received 2/8d per cloth.<sup>4</sup> His gross receipts in 1614, therefore, would have amounted to £5,538.10.8.

The Earl's receipts in the other years for which Taylor's accounts have not survived, that is from 1607 to 1612, 1616, 1617 and 1625, can be estimated by various means from evidence to be found in the accounts and other sources. The main additional sources are the warrant of 1614 granting the Earl compensation for losses he might incur as a result of the Cockayne project<sup>5</sup> and a similar warrant issued in 1627.<sup>6</sup> In order to make clear how the Earl's receipts and, also, some of the figures of cloth exports can be estimated from these sources, the procedure by which the compensation was granted will be briefly outlined.<sup>7</sup>

The aim of the Cockayne project was to dress and finish in England cloths which previously had been exported

2. Friis, op.cit. 61.

3. Ibid., 129.

4. The increase in the fee from 2/2d to 2/8d has been explained supra, p. 263.

5. See supra, p. 266.

6. See supra, p. 273.

7. For a more detailed description see supra, pp. 266-7.

undressed. The 4th Earl's income from the export of undressed cloths was thus bound to suffer. Because of this, the King ordered that the Earl should receive compensation from the Exchequer so as to maintain his income at the level he had previously enjoyed. Accordingly, the Lord Treasurer Suffolk was to calculate the yearly average of exports on the Earl's licence during the ten years prior to November 3 1614 and that average, or "medium" as the warrant called it, was to be the basis for granting compensation.

The Earl's receipts in 1615 did, in fact, fall owing to the Cockayne project and he was granted compensation for his losses. His actual receipts from cloths exported on his licence in 1615 were £3,074.1.4; the compensation granted to him was £1,395.<sup>8</sup> The total of receipts and compensation, which is £4,469.1.4, can be regarded as the monetary equivalent of the "medium" and the "medium" itself, with the fee per cloth 2/8d (or 7½ cloths to £1), as 33,518.

Two questions concerning the "medium" figure must be mentioned here. In the first place, since the Earl's fee per cloth was raised from 2/2d to 2/8d in 1612, only two years before the Cockayne experiment began, it might be thought that Suffolk would not have allowed the Earl compensation at 2/8d but rather at the lower figure and from

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8. B.M. Lansd. 169 f. 143a.

that it might be inferred that the conversion of the £4,469.1.4 into its cloth equivalent at 2/8d is misleading. Secondly, although the Earl's receipts from the licence in 1615 covered the twelve months from 30 October 1614 to 1 November 1615<sup>9</sup> and so virtually coincided with the first years of the Cockayne project, the compensation did not. The compensation was worked out at the end of the English financial year and was therefore given not for a full year but for the eleven months from 3 November 1614, when the privy seal grant took effect, to 29 September 1615.<sup>10</sup> The "medium" figure could thus be slightly below the actual assessment made by Suffolk.

There are, however, good reasons to support the belief that both the "medium" figure and its cloth equivalent can be accepted as correct. The total of 51,518 cloths exported in 1616 which has been calculated from the "medium" figure<sup>11</sup> is virtually identical with the official figure for 1616 of 51,564.<sup>12</sup> Moreover, the figures both of the Earl's receipts and of cloth exports between 1607 and 1612 which have been derived from the "medium" figure are consistent with what

9. Bolton MS. Bk. 105 f.1a.

10. B.M. Lansd. 169 f. 143a. The restitution was made by releasing the Earl from payment of his £1,000 rent to the Crown and paying the remainder of the sums to him in cash. Because the amount due to the Earl could not be assessed until the accounting year had ended, restitution for 1615 was granted in the financial year 1616, that for 1616 in 1617 and for 1617 in 1618. This delay meant that the Earl paid his rent for 1615 but was released from paying it in 1618 and it also meant that the cash part of the  
/contd.

evidence there is of his income<sup>13</sup> and trading conditions<sup>14</sup> in that period.

The estimation of the Earl's receipts in the period 1607 to 1612, in 1616 and 1617 and also in 1625 is based on the "medium" figure of £4,469.1.4 or its cloth equivalent of 33,518. The years 1616 and 1617 will be dealt with first. Since the amounts of compensation granted the Earl in 1616 and 1617 are also known, his actual receipts can be calculated by deducting from the "medium" figure the compensation he received. The compensation for 1616 was £1,600;<sup>15</sup> for 1617, £1,046.14.0.<sup>16</sup> This gives the Earl's actual receipts in 1616 as £2,869.1.4 and in 1617 as £3,422.7.4.

The Earl's receipts in the earlier period 1607 to 1612 cannot be given precisely. His average yearly income, however, can be estimated from the cloth exports in that period. Since the "medium" of 33,518 was the yearly average

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references 10 - 12 continued:

11. See Table L.
12. Friis, *op.cit.* 326, n.3.
13. In 1610 the licence was said to be worth £3,000 (B.M. Cotton Cleopatra F. vi, f. 108b); in 1613 it was bringing in a clear profit of £3,000 (Londesborough MS. D/1), and in 1616 the King stated that it was worth £4,000 (Friis, *op.cit.* 354). Cf. the first two estimates with the actual figures in Table F and the third with the average of £4,335 for the years 1606 to 1614.
14. A writer in 1614 put the export of undressed cloths at 60-70,000 annually. He also quoted the actual figure for 1613 as 67,000, which is correct. (B.M. Lansd. 152, ff. 282-90). Miss Friis does not seem to have noticed this estimate.

of cloths exported on the Earl's licence in the ten years up to 1615, the total exports in those years would be 335,180. The actual number of cloths exported in three of the ten years are known. In 1606, it was 46,124; in 1613, 37,101 $\frac{1}{2}$  and in 1614, 41,539. Those three years therefore accounted for 124,764 $\frac{1}{2}$  of the 335,180 cloths exported in the whole ten-year period. The average yearly export in the remaining seven years would be 30,059 $\frac{1}{2}$ . As the Earl received 2/2d for each cloth exported in those years, his annual receipts would on an average amount to £3,256.8.11.<sup>17</sup>

The second warrant granting the Earl further compensation in 1627 makes it possible to calculate the Earl's receipts in 1625, the other year for which no account has survived and, incidentally, the last full year in <sup>which</sup> the Earl held the licence. The basis for compensation was as in the first grant the "medium".<sup>18</sup> The 1627 warrant certified that the Earl's actual receipts in the eight and a half years from 1618 to 1626 had fallen below the level that the "medium" would have given him by £12,406. As eight and a half years at the "medium" rate of £24,469.1.4 would have given him £37,987.1.4,

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15. B.M. Lansd. 169 f. 148a.

16. Bolton MS. Bk. 107 f.2a.

17. 1605 would also be included in the calculation, but is not included in Table F.

18. See supra, p. 273.

this means that the Earl's actual receipts between 1618 and 1626 were £25,581.1.4. To find the total for the missing year 1625, all that is necessary is to subtract from that figure the £21,852.3.4 which the Earl in fact received in the other seven and a half years.<sup>19</sup> The Earl's income in 1625, therefore, was £3,728.18.0.

## II. The Figures of Exports of Undressed Cloths.

The 4th Earl's receipts from the licence and the "medium" are the sources for calculating the annual exports of undressed cloths in the years 1606 to 1626. The Port Books the main source of information on cloth exports, are for this period of only limited value.<sup>20</sup> The figures of cloth exports derived from the sources described above thus overcome a serious deficiency in the knowledge of the cloth trade at this time. The numbers of cloths exported on the Earl's licence and the total exports by the Merchant Adventurers are set out in Table L.

19. The actual receipts in the half year 1626 were £760.9.4; but since the Earl was released from paying his half year's rent of £500 due at Lady Day 1626 (Bolton MS. Bk. 113 f.4b), this was the equivalent of an income of £1,260.9.4. In assessing the compensation this may have been taken into account. If so, the receipts in 1625 would be lower by £500: the cloths exported on the Earl's licence 3,750 fewer and the total exports 7,500 fewer. The figures would then be, respectively, £3,288.18.0: 24,216<sup>3</sup>/<sub>4</sub>: and 48,433<sup>1</sup>/<sub>2</sub>.

20. Friis, op.cit. 93.



TABLE L

## The Exports of Undressed Cloths, 1606-1626.

	<u>Analysed Receipts</u>	<u>Exports on the 4th Earl's Licence</u> <sup>a</sup>	<u>TOTAL EXPORTS</u> <sup>b</sup>
1606	£ 4,996.15. 4	46,124	76,124 <sup>c</sup>
1607)			
1608)			
1609)	3,256. 3.11 <sup>d</sup>	30,059 <sup>e</sup>	60,059
1610)			
1611)			
1612)			
1613	4,946.16. 8	37,101 <sup>f</sup>	67,101 <sup>f</sup>
1614	5,538.10. 8	41,539	71,539 <sup>f</sup>
1615	3,074. 1. 4	23,055 <sup>g</sup>	53,055 <sup>g</sup>
1616	2,869. 1. 4	21,518	51,518 <sup>g</sup>
1617	3,422. 7. 4	25,667 <sup>h</sup>	55,667 <sup>h</sup>
1618	3,393.16. 8	25,453 <sup>i</sup>	50,907 <sup>i</sup>
1619	2,243.13. 4	16,827 <sup>j</sup>	33,655
1620	3,148. 1. 4	23,610 <sup>k</sup>	47,221
1621	2,089. 6. 8	15,670	31,340 <sup>j</sup>
1622	2,541.18. 0	19,064 <sup>l</sup>	38,128 <sup>k</sup>
1623	3,708.14. 8	27,815 <sup>m</sup>	55,631 <sup>k</sup>
1624	3,966. 3. 4	29,746 <sup>n</sup>	59,492 <sup>l</sup>
1625	3,728.18. 0	27,966 <sup>o</sup>	55,933 <sup>l</sup>

I. C montura onta: 58 moa. 1652 to 4 mea 1650 (Boifon W3. BK JF3 t.1p).  
 K. 14 leera: 58 mta 1655 to 1653 (Boifon W3. BK JF1 t.1p).  
 J. 10 montura onta: 58 mef. 1650 to 14 mta 1651 (Boifon W3. BK JF3 t.3).  
 I. incingea 25.8.0 que tot 1618 pnt receiaeg tu 1650 (Boifon W3. BK JF3 t.1p).  
 P. incingea 24.2.4 que tot 1618 pnt receiaeg tu 1618 (Boifon W3. BK JF3 t.1p).  
 E. propapra onta 11 montura, 1606 S moa. 1612 to 58 mef. 1610.  
 I. mta, ob. cif. 150.  
 e. 10 mef. 1610 pnt cloan. The excec lreame ia 30'000 JF 158.

The sources have been explained in the first part of this Appendix; the differences in the accounting periods are noted in Table L. One further point must be mentioned here; that is the calculation of the total exports from the figures of the exports on the Earl's licence. The method of calculation changes after November 1617. Until then, the Earl was paid for every cloth exported by the Merchants over and above the 30,000 which they exported each year on their own free licence. Thus, to find the total exports the number exported on the Earl's licence must be added to the 30,000 exported by the Merchants. After 1617, however, the Earl and the Merchants shared the cloth exports equally up to a limit of 60,000. Above that figure all cloths were to be exported on the Earl's licence only.<sup>21</sup> Thus to find the total exports for 1618 and subsequent years, the Earl's exports must be doubled until 60,000 is reached and the number in excess simply added to that total. In practice the total exports never reached 60,000, though in 1624 they fell little short of that figure.

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21. See supra, p. 269.

APPENDIX IIILondon Scrivener - Money-Lenders.

The money-lenders listed below were named as scriveners in the Cliffords' accounts. The Cliffords borrowed largely from two of them, Shalcrosse and Iles.

<u>Scrivener</u>	<u>First Known Dealing</u>	<u>Source</u>
Mr <u>Johh Pearce</u>	1624	Bolton MS. Bk 112, f.1b.
Mr <u>Humphrey Shalcrosse</u> <sup>1</sup>	1631	Bolton MS. Sundry Paper, I. 65, f.21
Mr <u>Henry Iles</u>	1632	<u>Ibid.</u> , f.3a.
Mr <u>Miller</u> . His shop was in Cheapside	1632	<u>Ibid.</u>
Mr. <u>Nowell</u> . His shop was in "ffryday Street".	1634	Bolton MS. Bk. 17, f.90.
Mr <u>Colwall</u> . His shop was in "Barck linde lane neere the old Exchange".	1640	Bolton MS. Bk.179 f.3.

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1. For a full account of Shalcrosse's activities see Max Beloff, "Humphrey Shalcrosse and the Great Civil War", E.H.R., Liv, 686-695.

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- 108 ditto, 1620.
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- 110 ditto, 1622.
- 111 ditto, 1623.
- 112 ditto, 1624.
- 113 ditto, 1626.
- 114 ditto, 1627.

- 115 ditto, 1628.
- 116 ditto, 1629.
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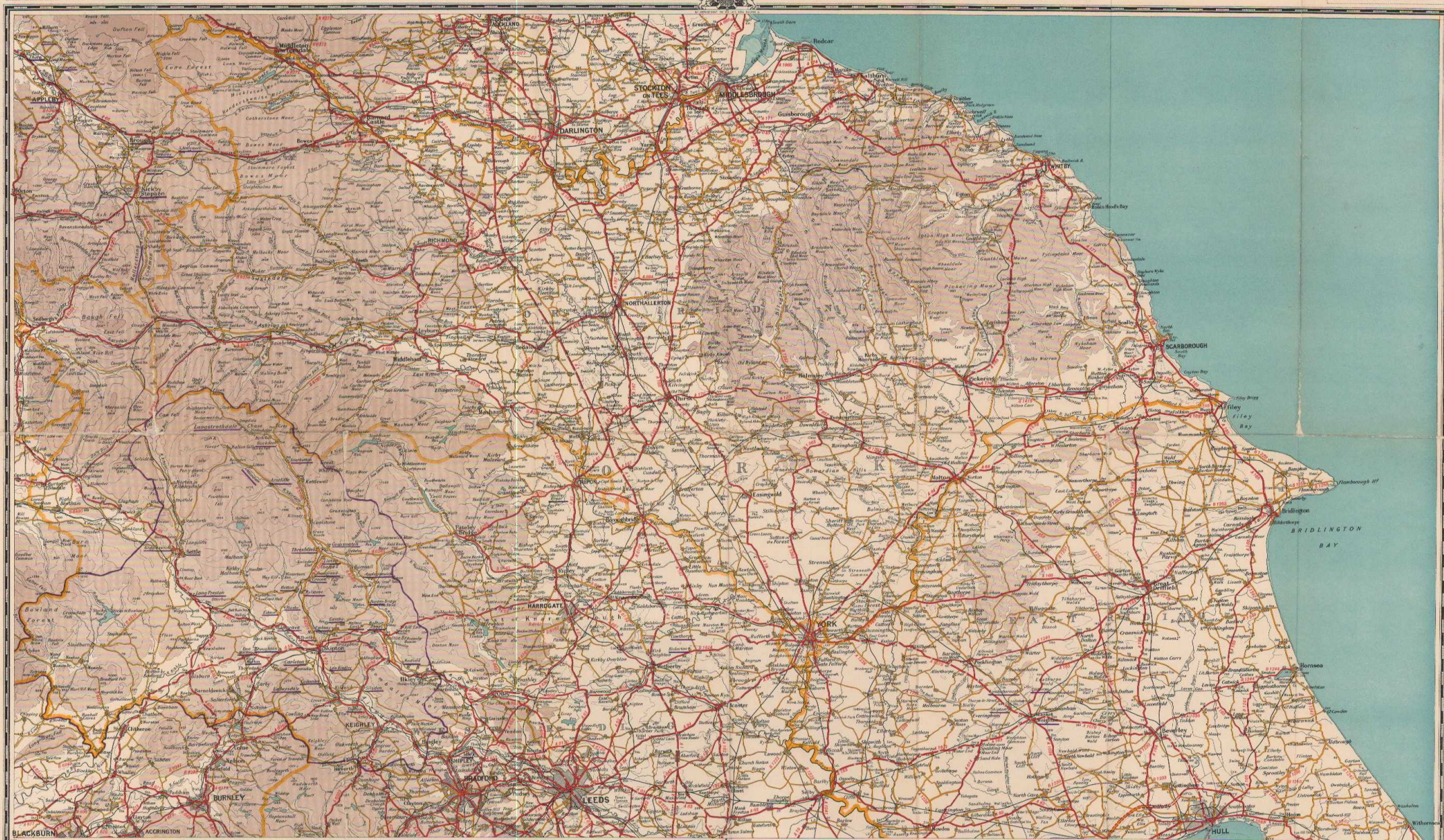
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Skipton Manors held by the Cliffords between 1579 and 1646  
Boundary of the Deanery of Craven



 Ministry of Transport Road Numbers  
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 County Boundaries  
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